A Summary of Rulings



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point

The English translation of the Risalatul Fiqh (text of Islamic Laws) of Grand Ayatullah Nasir Makarem Shirazi, with a helpful addition of a glossary of Arabic terms appended at the end for the benefit of non-Arabic speakers.

Preface: Our Religious Ideology

point

Praise is only for Allah, Lord of the worlds. Prayers and peace be upon Muhammad and his pure family. The curse of Allah be on their enemies, all of them.

We are Muslims and followers of the Ahlul-Bait, upon them be peace, and our ideology is founded on three firm and well established principles, they are:

1) Unity of Allah

We declare the oneness (Tawheed) of Allah and we reject any partners for Him; any personification (of Him) and any son (for Him). Every type of deviation from the principle of Tawheed, we condemn emphatically to destruction, like attributing partners to Allah (Shirk); idolatry and the worship of man by man.

As such, we believe that Allah is Unique. He is the Creator of all existence. Due to this, we

believe that only good and righteousness is created in the universe and it is man, who, at times, misuses these means and potential. Therefore, man is the cause of evil and the source of

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.deviation

We believe that Allah is without a body or matter, rather, He is far elevated above matter and material. According to this, He has no need for a place or locality. Surely, He is in every place and cognizant of everything. He is closer to us than our own jugular vein. He sees everything and hears every sound. In addition to that, there is no place for Him nor any habitat. He sees things and hears sounds not with the extremities of the eye nor the .ear as we see and hear

We believe) that the past and the future, the near and the remote are the same for Him.) That everything is present in his knowledge without exception. The apparent and known are before Him without exception, therefore, He even knows our thoughts and our intentions. He encompasses (the knowledge) of that which troubles our hearts, (that .which) passes through our minds and hearts, absolutely

We believe) that He is Unique in all of these perspectives. He has no compositional parts,) .even His attributes, like Capability and Knowledge, are the same as His Essence

There is no beginning for His existence nor any end. He is eternally existing, therefore, His existence is infinite from all perspectives. His attributes never resemble the attributes of creation because man's attributes, like ability and knowledge, are limited. He is ever far .exalted in His unlimited attributes

In His power, (and in) none-other besides Him, is forgiveness of the sins of His servants. There is no intercession of

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anyone for anyone, even the Messenger of Allah, the Blessings of Allah be upon him and his family, the Infallibles (The Ma'soomeen), peace be upon them, except by His permission. As for the respect of their graves or the plea through them, then, it is not .considered worship of them at all

Raising of Prophets (٢

We believe that Allah, the exalted, raises Prophets and dispatches them as Messengers in order to guide His servants and lead them out of the darkness of ignorance and misery to .the light of knowledge, purity and well being, because Allah created man for well being

According to this, He augments all of the means of well being in man's essence and in the vast universe. (We believe) that the dispatching of prophets is only for the perfection of these aims. That the teachings of Prophets and divine laws are only perfected elements for the character of man and his nature. Every law contradicting the nature of man, its .creation is not from Allah's side

We believe that the aim of Prophets is proper education; proper instruction; to anchor the principles of ethics; to strengthen its support in the scope of human relations; to establish order and to apply justice in human society. The Glorious Qur'an has already clarified .each of these matters and rights in numerous verses

We respect all of the Prophets and Messengers without exception. However, we believe that the previous divine scriptures are tainted with superstitions and the hands of alterations were engaged throughout the long course of

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time and at the end of its era. The One Most Truthful and Living bears witness that those disgraceful and shameful (acts) were ascribed to Allah, the Creator of the universe and Deity of the worlds. (Also, they attributed disgraceful and shameful acts) to the pure Prophets and Messengers, upon them all be peace. The Qur'an is the only peerless divine .scripture which is in our hand without change or alteration

The Day of Judgment (۳

Like all Muslims, we believe that all of mankind will be gathered on a particular day in another world: the eternal, everlasting world, to be given the reward of the virtuous deeds and the wicked deeds. (We believe) that every deed, good or bad, however small, will be accounted for on that day. (We believe) that the (knowledge of mankind's) account .is preserved with Allah and (We believe) that He will never wrong anyone

Regarding the righteous, then, they will enter into the everlasting paradise filled with blessings: ideal, material, spiritual and physical blessings. As for the evil, then, they will be .entered into the hellfire

* * *

The followers of the Ahlul-Bait, upon them be peace, in addition to these principles, :believe in two other principles, they are

The Leadership (Imaamah) of The Twelve Successors of The Messenger of Allah, prayers be upon him and his family. The first of them is Ameerul-Mu'mineen Ali Ibn Abi Taalib and the last of them is Imam Al-Mahdi (may Allah, the Exalted, hasten his noble reappearance) who is now living and thriving. He will appear

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.one day to fill all the world with equity and justice

Justice of Allah. We believe that Allah never does any injustice to anyone of his servants. (We believe) the injustice of another either stems from ignorance or springs forth from impotence and Allah, Glorified is He, is knowledgeable of all things and capable of all things. We believe, in accordance with that, that all of mankind is free in their will, not compelled to obedience or disobedience. (We believe) that their destinies are in their own hands. They will decide for themselves without compulsion and He does not bear blame for the sin of another nor does anyone bear the sin of the error of another. Nor is man .punished for the crimes of another

We take our religious teachings, which bind all affairs and spheres of our individual and social lives, from the most probable of sources, the Qur'an. We believe that the Noble Qur'an was and continues to be protected in its verses from additions and deductions and .is safe from change and alteration

After the Qur'an, we adhere to the customs (Sunnah) of the Most Noble Messenger, may the Blessings of Allah be upon him, then, (to the customs) of his infallible successors, upon them peace, who received their knowledge from the Messenger of Allah, may the .Blessings of Allah be upon him and his family, without any means or with a means

We attribute this position to the words of the Messenger of Allah, may the Blessings of Allah

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be upon him and his family, all of the well named authors have mentioned it and his saying is well known: “I feel that I'm being summoned and I must respond. Surely, I am leaving behind for you two weighty things: the Book of Allah and my descendants. Surely, “.(they will not separate until the return to me at the pool (of paradise

We, in order to understand these religious, legal duties, in addition to the Noble Qur’an and the sayings of the Messenger of Islam and the twelve A’immah, we follow that which scholars and Jurists have gained a consensus upon and confirmed. Likewise, (we believe) .in that which the rationale rules upon with certainty

These four matters (the Qur’an, the traditions of the Prophet and the descendants, that which the Jurists have gained a consensus upon and the evidence of reasoning) are called '.(the Four Evidences (Al-Adillah Al-Arba

We see that it is always necessary that a group of scholars of religion establish a study of religious sources and derive from (those sources) the Islamic duties and teachings. This right is not limited to any specific individuals, rather, it is the right of all of the scholars cognizant of religion to teach the sources of Islamic legislation and derive the Islamic duties and teachings from it. In this way, we see that the door of Ijtihaad (juristic reasoning) is open before all of the scholars and jurists in the Ummah in every age and .city

,We believe Islamic faith is an eternal

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everlasting religion and at same the time it is flexible, facilitating application and .implementation in every time and place and for every society among human societies

Scholars have established collections and clarifications of the individual and social Islamic duties and teachings in a detailed manner in books named as the Books of Fiqh (jurisprudence). As such, numerous writers have delved into different sciences for the .purpose of refining these teachings and laws and revising them and rewriting them

The present book brings together an extract of these laws from those of which are .intensely needed and (the laws which man) mostly encounters

.We ask Allah, Glorified be He, for guidance and success in acting in accordance with it

The Rules of Taqleed and Tahaarah

point

Issue ١: It is not allowed for any Muslim to follow another in the Roots of Religion (Usool Ad-Deen). Rather, it is imperative that he knows it and has faith in it based on evidence and proof according to his own understanding and capability. Regarding the Branches of Religion (Furoo' Ad-Deen), in other words, the rulings and practical instructions, if a person is a Jurist/Mujtahid (in other words, capable of deriving the divine rulings and obtaining them by himself) he can act according to his opinion and his derivation of .rulings

If he is not a Jurist/Mujtahid, it is obligatory upon him to follow a Jurist and act according to his opinion and legal decrees. Just as people do when they refer to informed and competent individuals in all of their affairs in which they

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.have no competence and they follow their opinions

It is also allowed to act with precaution, in other words, that one acts in all of his affairs .such that he gains certainty that he is taking care of his legal duties

Issue ٢: It is conditional that the Jurist whom a person follows is a man; mature; sane; Shi'ah Ithna 'Ashari; of pure birth (in that he is not an illegitimate child). Likewise, it is conditional (that the Jurist) be just and living (according to obligatory precaution). The just person is he who is endowed with the inner state of fearing Allah, preventing himself from .committing major sins and from persisting in minor sins

Issue ٣: In matters which the Jurists differ in the opinions, it is obligatory to follow the .most learned

:Issue ۴: There are four ways of comprehending the opinion of the Jurist and his verdicts

- .First: Hearing (the verdict) from the Jurist directly or seeing his writing
- .Second: Seeing his practical report which is possible to rely upon
- .Third: Hearing from he whose word and report is reliable
- .Fourth: Notoriety among people in manner obliging dependence and reliability in it

Issue ۵: When the Jurist whom a person is following dies, it is allowed to remain in his following (Taqleed), rather, if he was the most learned, it is obligatory (to do so). A condition being that the person already acted upon the Jurist's verdicts in (the Mujtahid's) lifetime or had taken his verdict in order to act upon them in

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.the minimum

Issue ۶: It is not allowed to act upon the verdict of a deceased Jurist in the beginning (of Taqleed), although he be the most learned, based on obligatory precaution.

Issue ٧: It is obligatory for the one obliged to observe the Islamic law (Mukallaf) that he learn the matters which he has need of, or those matters which customarily occurs for him or that he learns the method of precaution (in those matters).

Issue ٨: When people perform their acts without following (a Jurist) for a period of time, then, follow a Jurist. Then, if their previous acts are in agreement with the verdicts of this Jurist, the acts are correct. Otherwise, they are obligated to repeat those acts. Likewise is it when they had followed a Jurist without sufficient verification.

Issue ٩: When the verdict of a Jurist has changed, it is obligatory to act according to the new verdict. However, the acts which were performed according to the previous verdict are correct and there is no need of repetition. Thus it is when one switches from one Jurist to another. It is not necessary to repeat the previous acts when they differ from the new opinions.

Issue ١٠: When two Jurists are equal, the follower is able to choose between them and it is allowed to follow one of the two in some matters and follow the other in other matters.

Issue ١١: Water is either Pure [Mutlaq] or Mixed [Mudhaaf]. Mixed water is that which is not possible to apply

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the term water to alone. For example, it is said to be juice, soapy water, rose water. Regarding pure water, it is that which it is possible to apply the term water to without .restriction or condition, like common water

:Issue ۱۲: Pure water has some types and each type has specific rulings. These types are

[Large quantity of water [Kurr Water•

[Small quantity of water [Qaleel Water•

[Flowing water and the water of pipes [Jaari Water•

[Rain water [Ghayth/Matar Water•

[Well water [Bi'r Water•

All of these waters have in common that they are pure [Taahir] and purifiers [Mutahhir]. Mixed water, however, does not purify anything. Rather, it becomes impure [Najis] upon .[contact with impurities [Najaasah

Issue ۱۳: Kurr water is water which, if poured into a container, each of its length, width and depth is three and a half spans of the hand in order to fill a container or that water whose weight is ۳۸۴ Kilograms or ۳۸۴ Liters (based on obligatory precaution). The standard .in the span of the hand is the medium hand span

Issue ۱۴: When a source of impurity ['Aynun-Najaasah], like urine or blood, falls into Kurr water, the Kurr water does not become impure except when its color, taste or smell is .changed by reason of this impurity

Issue ۱۵: When we place something impure under flowing water from a pipe connected to a Kurr of water, then, the water which is separated from the impure thing is pure unless it had acquired the taste, color or

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.smell of the impurity

Issue ۱۶: When we have doubt in water which was a Kurr or more than a Kurr as to whether it is now less than a Kurr or not, we apply the ruling of a Kurr upon it. Likewise, in the reverse, when we have doubt in water which was less than a Kurr as to whether it has now become a Kurr or not, we apply the ruling of a small quantity of water [Qaleel water] .upon it

Issue ۱۷: Intended in (the term) small quantity of water [Maa'ul-Qaleel] is that which is .less than the quantity of a Kurr and it does not come from within the earth

Issue ۱۸: When an impurity comes into contact with a small quantity of water, all of the water becomes impure (based on obligatory precaution). Regarding when a small quantity of water is poured on to an impurity from above only the part of the small quantity of water contacting the impurity will become impure. When, by means of a fountain, (the water) rises from the lower level to a higher level and the higher level makes contact with the impurity, the part contacting the impurity becomes impure not .the lower part of the fountain

Issue ۱۹: When something Mutanajjis (contaminated with an impurity) is washed in a small quantity of water, it becomes pure (with the conditions which will be mentioned in (that which follows

Issue ۲۰: Flowing water is that water which springs from the earth (like the water of

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a stream or spring) or that which flows resulting from the continuous melting of ice .gathered upon a mountain

Issue ٢١: Flowing water does not become impure with contact with an impurity even though the flowing water is less than a Kurr, except when it acquired the taste, smell or .color of the impurity

Issue ٢٢: The water of pipes and, likewise, the water of the bathhouses connected to a storage tank, its ruling is the ruling of flowing water with a condition that the amount of water of the storage tank alone in addition to that which is in the pipes is not less than a .Kurr

Issue ٢٣: The ruling of rain water is (same as) the ruling of flowing water. Thus, it purifies every Mutanajjis (contaminated by an impurity) thing with contact. It being the same whether the Mutanajjis is from the earth or the body or clothes or other than that, with the condition that the Mutanajjis (contaminated by an impurity) thing does not contain the source of impurity ['Aynun-Najaasah] and with the condition that the dirty wash water is separated from it. It is necessary that the downpour be in the quantity that the title of rain .can be applied to it

Issue ٢٤: When a carpet is spread upon the impure earth and rain pours upon it and flows under it, that carpet is not made impure. Rather, the earth which is beneath it becomes .pure

Issue ٢٥: The water of the well is pure and can purify although

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it be less than a Kurr. When something Mutanajjis (contaminated by an impurity) is washed in well water and the Mutanajjis (contaminated by an impurity) thing does not contain the source of impurity ['Aynun-Najaasah], it becomes pure.

Issue ۲۶: The water of the well, although it had not become impure by reason of the falling of an impurity in it, however, it is recommended to remove from the well a quantity of water for each one the impurities (having fallen into it). These quantities are mentioned in the detailed books on Fiqh.

Issue ۲۷: Deep wells or semi-deep well and others whose water is withdrawn from it by means of a motor, if the amount of water withdrawn from it is in the quantity of a Kurr, it is capable of purifying [Mutahhir]. Regarding when it is less than a Kurr, then, as long as the water is continually withdrawn and flowing, its ruling is (the same) as the ruling of well water and it does not become impure with contact with an impurity.

Issue ۲۸: When well water has acquired the taste of an impurity or its color or smell, by means of a source of impurity falling into it, then, this alteration disappears afterward, the water of the well is purified unless new water flows into it and mixes with it.

Issue ۴۱: Istibraa' is a recommended act for men. It means that a man, after urinating, performs the following act: he massages the penis from the base to the top a

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number of times. Then, he squeezes the head of the penis a number of times to remove that urine which remains in the passageway. As far as Istibraa' of semen, it is to urinate after the emergence of semen in order to remove the remaining particles of urine from .the passageway

Issue ۴۲: The benefit of Istibraa' of urine is that it purifies the passageway of urine. Then, when a questionable fluid emerges from a man after Istibraa', it is pure, as it is not nullifying his Wudhu'. As for when he had not performed Istibraa' it is obligatory upon him .(to repeat the Wudhu' and wash the place (where the fluid emerged

Issue ۴۳: The benefit of Istibraa' of semen is that when a doubtful fluid is discharged from a man and he doesn't know whether it is semen or one of the pure fluids, it is not obligatory upon him to bathe. When he had not performed Istibraa' and there is a probability that the discharge is particles of semen remaining in the passageway and that it emerged accompanied with semen or another fluid, it is obligatory upon him to bathe a .second time

Issue ۴۴: There is no Istibraa' for women. When a doubtful fluid emerges from her, it is .pure and neither Wudhu' nor washing is obligatory upon her

Issue ۴۵: The impurities, according to obligatory precaution, are eleven: ۱) urine; ۲) stool; (۳) semen; ۴) a corpse; ۵) blood; ۶) the dog; ۷) the pig; ۸) the non-Muslim; ۹

.every intoxicating fluid; ١٠) barley beer; ١١) the sweat of the polluted animal

Issue ۴۶: The urine and stool of man and every animal whose flesh is prohibited, possessing flowing blood (meaning that its blood gushes at the time of slaughter) is Najis (impure). The obligatory precaution is to avoid even the urine of the animal whose flesh is prohibited whose blood does not gush at the time of slaughter. However, the excrement of small animals like mosquitoes and flies and whatever is similar to these, is Taahir .((pure

Issue ۴۷: The excrement and urine of birds of lawful and prohibited flesh is not Najis, however, the recommended precaution is to avoid the (excrement and urine of the bird .of) prohibited flesh, particularly, the urine of the bat

Issue ۴۸: The semen of animals whose blood gushes at the time of slaughter is Najis, it being the same whether the (animal is of) lawful or prohibited flesh. The obligatory .precaution is to avoid the animal that doesn't have gushing blood as well

Issue ۴۹: The corpse of the animal whose blood gushes is Najis when it died of itself. Regarding when it is slaughtered in a non-Islamic manner, it is Taahir (pure), however, the recommended precaution is to avoid it, basing it on that it is flesh and hides furnished by non-Islamic countries, it is pure, however, eating this meat is forbidden except that there is certainty that it was slaughtered in a lawful Islamic manner. Or that information from the Muslims of that

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.country is obtained that it is slaughtered lawfully

Issue ۵۰: The parts of the corpse which do not support life, like the wool, hair and nails are pure. However, the bones and the parts which support life like the teeth and horns (in other words, those parts which hurt the animal if something is inflicted upon it), then, it .((these parts) there is an objection (to their being considered pure

Issue ۵۱: The egg which emerges from the stomach of a dead chicken is pure with the .condition that its outer shell is hard, however, it is obligatory to purify it

Issue ۵۲: The meats, hides and fat which are traded in the markets of Muslims or that which a Muslim gives to another person is pure. However, when it is known that it is taken .from a non-Muslim without its state being investigated, it is forbidden to eat it

Issue ۵۳: All edible and non edible materials furnished by non Islamic countries, like butter, cooking butter (Ghee), cheese, types of medicine, soap, (fragrant) oils, dye and that which .is similar to those are pure, if people are not certain of its being impure

Issue ۵۴: The blood of man and every animal whose blood gushes at the time of slaughter is impure. However, the blood of animals whose blood does not gush, like the fish, the .snake and, likewise, the mosquito, is pure

Issue ۵۵: When an animal of lawful meat is slaughtered according to the legal manner and a usual amount of blood emerges

from the animal, the remaining blood inside is pure, except when the head of the animal is placed on an elevated place at the time of slaughtering and the blood returns inside the animal. Regarding when the blood returns inside the animal by reason of breathing, then, .the obligatory precaution is to avoid it

Issue ٥۶: The blood which is in an egg of a chicken is impure and it is forbidden to eat it .according to obligatory precaution

Issue ٥٧: The blood which solidifies under the skin or nails by reason of a powerful blow, when the description of blood is not applied upon it, is pure. When it is said that it is blood, then, as long as it is under the skin or nail, there is no objection in it in relation to Wudhu', .Ghusl and prayer

Regarding when the skin is punctured which it is obligatory to remove (the blood) and purify its place, if there is not any injury or severe difficulty. When there is severe difficulty (in removing the blood), purify the extremities for Wudhu' and Ghusl, then, place a pure cloth upon it and wipe (the cloth) with hands with moisture upon them and perform .Tayammum as a precaution

Issue ٥٨: The common dog and pig are both impure. Even their hair, their claws, their nails .and moisture is impure. However, the sea dog and sea pig are both pure

Issue ٥٩: The non-Muslim (the non-Muslim is he who denies the existence of God and the prophethood of

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the Messenger of Islam - Muhammad, peace be upon him and his descendants, or he who has taken a partner with God the Glorified) is impure, although he is a believer in one of the divine religions like Judaism or Christianity (according to obligatory precaution). However, when (the Jew or Christian) are in non Islamic countries and avoiding them has .hardship, avoiding them is not obligatory

Issue ۶۰: Those who deny an imperative belief [Dharoori] of the imperative beliefs of the Islamic faith (meaning that which all of the Muslims teach like resurrection on the Day of Judgment, the obligation of prayer and fasting and things like that), if he knew that it is an imperative (belief), then, he is a non-Muslim. If he was in doubt that its nature was an imperative belief, then, he is not a non-Muslim. However, the recommended precaution is .to avoid him

Issue ۶۱: He who blasphemes God, may God forbid, or the Prophet, peace be upon him and his descendants, or one of the infallible A'immah, upon them be peace, or Fatimah .Az-Zahrah, peace be upon her, or he is an enemy of them, he is a non-Muslim

Issue ۶۲: All of the Islamic sects are pure except the Nisaab who are at enmity with the infallible A'immah, peace be upon them, the Khawaarij and the Ghulaat who were extremists in the matter of the A'immah, upon them be peace, then, they are in the ruling .of a non-Muslim

Issue ۶۳: Wine and every fluid which intoxicates

man is impure according to obligatory precaution. Regarding when it is a kind of narcotic or Hashish which narcotizes or intoxicates, but it is not fluid itself, then, it is pure. If it is mixed with water and becomes a fluid, regarding its usage, then, it is forbidden in every .situation

Issue ۶۴: Natural and artificial Sabirtu which is not known whether it is taken from a fluid intoxicant itself, it is pure. Likewise, are (fragrant) oils and medicines mixed with natural .and artificial Sabirtu

Issue ۶۵: When the juice of grapes boiled by itself (that boiling is that which is customarily a prerequisite for it becoming wine), it becomes impure and forbidden to drink it. If it boils by means of fire or other than fire it does not become impure, however, it is forbidden to drink it except after two thirds have evaporated. As such is the juice of dates, raisins, .apricots, according to obligatory precaution

Issue ۶۶: When dates, raisins, apricots are placed in food, then boiled in (the food), there is .no objection in eating it

Issue ۶۷: Beverages taken from barley and which are called Fuqqaa' are forbidden. It is, with regard to impurity, like wine. However, that which is taken from barley for its particular medicinal properties, and the name barley water is applied to it but it never .(intoxicates, it is pure and lawful (to drink

Issue ۶۸: The sweat of the polluted camel (in other words, that camel which is habituated ,(to eating the excrement of man

.also, the camel of the polluted animals, according to obligatory precaution

Issue ۶۹: The sweat of the ritually impure [Junub] (becoming Junub due to a forbidden act) is not impure. It being the same if the person had become Junub by reason of fornication or sodomy or masturbation. However, the prayer is not permitted as long as that sweat is on his body or his clothing, according to obligatory precaution.

Issue ۷۰: It is a recommended precaution to avoid the sweat of the Junub (resulting from a forbidden act). In keeping with this precaution, it is most proper that the Junub person bathe in water which is not hot so that he is not perspiring at the time of bathing. This is in the situation of bathing in a small quantity of water [Qaleel Water]. There is no objection when (the Junub person) bathes in Kurr Water and that which is similar to it. However, it is obligatory upon him to purify his body with water once after concluding the bath, according to the recommended precaution.

Issue ۸۵: The term Mutahhiraat is applied to things which purify Mutanajjis things and they are twelve:

Water (۱

The earth (۲

The sun (۳

Physical Change (۴

Transformation (۵

Evaporation of two thirds (۶

Transferal (۷

Islam (۸

Subordination (۹

Removal of the Source of Impurity (۱۰

Quarantine of the polluted Animal (۱۱

Absence of a Muslim (۱۲

:The rules of these are coming in a detailed manner in the following issues

Issue ۸۶: Pure Mutlaq Water can purify all Mutanajjis (contaminated by an impurity) things with the condition that

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the water does not become Mixed [Mudhaaf] at the time of washing the Mutanajjis (contaminated by an impurity) thing in it and that it does not acquire the smell of the impurity or its color or taste. (And) with the condition that the source of impurity ['Aynun-Najaasah] is removed with the washing and is purified. For example, when blood is in something, wash the blood in water very well in as much as the blood is removed and it .[becomes pure [Taahir

Issue ۸۷: It is obligatory to wash a Mutanajjis (contaminated by an impurity) utensil in a small quantity of water three times. However, it suffices to purify it in Kurr Water or Flowing Water one time, although three times is better. The water of pipes is in the ruling .of Flowing Water

Issue ۸۸: When a dog has licked a utensil or drank water or another fluid from, it is obligatory, first, to cover it with soil mixed with some water. Then, purify it in a small quantity of water [Qaleel Water] twice or in Kurr Water or Flowing Water once. When we pour something containing the saliva of a dog into a utensil, then, the recommended precaution is that this method is also taken. Regarding when a utensil contacts another place on the body of the dog with moisture, it is not obligatory to cover it with soil. Rather, it is obligatory to wash it three times in a small quantity of water or one time in Kurr or

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.Flowing water

Issue ٨٩: The utensil which a pig has drank fluid from, it is obligatory to wash it with water seven times but it is not necessary to spread soil upon it. It is necessary to wash it with water seven times also for a spot of pig (contacting it) and for the death of desert rat in it, .according to precaution

Issue ٩٠: When something Mutanajjis (contaminated by an impurity) is washed in Kurr Water or Flowing Water or with the water of pipes until the impurity is removed, or it washed in Kurr Water or Flowing Water after removing the source of impurity, one time, it becomes pure. However, it is obligatory to squeeze carpets and clothing and things .similar to those until the (wash) water is separated from it

Issue ٩١: To purify something made Mutanajjis (contaminated by an impurity) by urine, it suffices to wash it twice in a small quantity of water or once in Kurr Water or flowing water or with the water of pipes. However, the (thing made) Mutanajjis (contaminated by an impurity) by other than urine, it suffices to wash it once in a small quantity of water or .in Kurr water

Issue ٩٢: To purify clothing and carpets and things similar to those, it is obligatory to .squeeze it a little to remove the wash water from it

Issue ٩٣: When Mutanajjis (contaminated by an impurity) clothing is dyed with a color and immersed in Kurr Water or Flowing Water or placed under the water

of pipes and the water contacts all of its parts before it becomes mixed by reason of that dye, that clothing becomes pure although colored wash water emerges from it at the time of squeezing it. Regarding when the water becomes mixed before contacting all of the parts of the aforementioned clothing, continuation of washing is obligatory until pure .water [Mutlaq Water] has reached it

Issue ۹۴: To purify the body in Kurr Water or Flowing Water or under the water of pipes, it suffices to remove the source of the impurity alone and it is not necessary to emerge .from the water and enter into it another time

Issue ۹۵: The ruling of the water of the faucet (which is) connected to Kurr Water is the same ruling of Kurr Water and Flowing Water. Based on that, when something Mutanajjis (contaminated by an impurity) is washed in it, it becomes pure by only removing the source of impurity from it.۲-Earth

Issue ۹۶: When the bottom of the feet or the soles of shoes become impure by means of walking upon Najis earth, they are purified by means of walking upon pure earth or by rubbing the Mutanajjis (contaminated by an impurity) place with pure earth. With the condition that the earth is pure [Taahir] and that the source of the impurity is removed. Likewise, it is obligatory that the earth be soil or stone or brick or cement or things resembling that. The bottom of the feet and the soles of Mutanajjis

contaminated by an impurity) shoes are not purified by walking on carpets, mats and) .vegetation

Issue ۹۷: When the earth covered with wood is walked upon for purifying the bottom of feet or the soles of Mutanajjis (contaminated by an impurity) shoes, for that there is an objection (in regarding it to be correct). However, the feet and shoes are purified by .walking upon asphalt

Issue ۹۸: It suffices for purifying the bottom of the feet and the soles of shoes to walk on the earth for a short distance or to rub them upon with the earth. However, the best manner is to walk fifteen arm lengths (in other words, approximately seven and a half .meters) at the minimum

Issue ۹۹: The rays of the sun purifies the earth and the roof of a house, however, the purification of a building, windows, vents and whatever is similar to that, is an area of .objection

Issue ۱۰۰: In order to purify the earth and the roof of a house by means of the rays of the :sun, there are conditions

- First: That the Najis place has moisture spread on it. Based upon this, when the area is .dry, it is obligatory to moisten it before that in order to dry it by means of the sun
- .Second: That the source of impurity is removed before that
- Third: That the sun shines upon the area in a direct manner, not that it shines upon it from behind a cloud and things similar to that, except

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that the cloud is very thin whereas it does not block the rays of the sun. Nothing prevents .(purification) by the shining of the sun upon it from behind glass

Fourth: If something Mutanajjis (contaminated by an impurity) dries by means of the• shining of the sun upon it, it does not suffice when it dries with assistance of wind or by means of other instruments of heat, except that the affect of that is very minimal .whereas it is said: it dried by means of the sun

Issue ۱۱۷: Wudhu' is considered as the washing of the face, the two arms, wiping the front of the head and the back of the feet in a manner which will be described in the following .issues

Issue ۱۱۸: It is obligatory to wash the face from above the eyebrows, in other words, from the hair line of the head toward the end of the chin, lengthwise, and the area covered between the thumb and the middle finger, widthwise. If even something small in this area is not washed, the Wudhu' is invalid. Due to this, in order to gain certainty in washing the area (completely), it is obligatory to enter its adjoining (areas of the washed area) in the .washing as well

Issue ۱۱۹: The bearded man whose skin of the face is visible through the hair of his beard, is obligated to make the water reach the skin of the face when making Wudhu'. When the skin is not visible, it suffices to

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.wash the hair alone and it is not necessary to make it reach the skin

Issue ۱۲۰: It is obligatory to wash the right arm from the elbow to the tips of the fingers .after washing the face. Then, wash the left arm after that in the same manner

Issue ۱۲۱: It is obligatory to wash the face and the arms from the higher point to the lower .point. If the washing is from the lower point to the higher, the Wudhu' is invalid

Issue ۱۲۲: In the Wudhu', the first washing of the face and arms is obligatory. The obligatory precaution is to leave the second washing. Regarding the third washing or more, it is forbidden. The aim in the (term) first washing is washing the entire limb whether it be with one handful (of water) or numerous handfuls. Then, at the time of .washing the entire limb in that manner, it is counted as one washing

Issue ۱۲۳: After washing the two arms, it is obligatory to wipe the front part of the head with the moisture remaining on the hand from the Wudhu'. According to obligatory precaution, it is obligatory that the wiping is with the right hand and the preferred manner is the wiping is from the higher to the lower, however, there is no objection if it is .reversed, in other words, from the lower to the higher

Issue ۱۲۴: The front of the head above the eyebrows is the place of wiping [Mash]. If (an area is wiped) with

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the hand in any amount (deemed as a wiping) it suffices. However, the recommended precaution is to wipe (in the measure of) a finger, lengthwise and the width of the three .fingers, widthwise

Issue ۱۲۵: It is allowed to wipe on the scalp of the head or the hair that grows on it. Regarding when the hair is plentiful and long whereas when it is combed it falls into the face or another place on the head, it is obligatory to wipe at the root of the hair. It is best to part the hair before Wudhu' so that after finishing washing the left arm he can wipe at .the roots of the hair of the head or the scalp with ease

Issue ۱۲۶: After wiping the head, with the same water remaining on the hands, the backs of both feet are wiped from the tip of the toes up to the arch of the feet. The .recommended precaution is to wipe even up to the joint of the feet

Issue ۱۲۷: Whereas the width which suffices in a wiping is the area of one finger, however, it is best that the amount be that of three fingers joined together and it is best to wipe the entire back of the feet with the inside of the entire palm (of the hand). If the entire palm is .(put on the back of the foot and drawn slightly, it suffices (for wiping

Issue ۱۲۸: It is obligatory that the place of wiping be dry. There

is not harm if it is a little wet wherein the wetness of the hands overcomes (the wetness of the place) at the time of wiping.

Issue ۱۲۹: It is permissible to immerse the face and hands in water with the intention of Wudhu' or remove them from water with the intention of Wudhu' after immersing them in water. That is called Immersion Wudhu' [Al-Wudhu' Al-Irtimaasi].

Issue ۱۳۰: In the immersion Wudhu', in order that the wiping of the head and feet not be with external water, it is obligatory at the time of immersing the right and left arms, he intends that after that he removes the arms from the water and as long as water remains on his hands, it is (water which is a) part of Wudhu'. In other than this situation, in wiping the head and feet, there is an objection.

Issue ۱۳۱: The conditions (in the correctness) of Wudhu' are twelve:

First, the purity [or Tahaarah] of the water of Wudhu'.

Second, that the water is pure [Mutlaq] water. Based on this, the Wudhu' performed with Mutanajjis water or Mixed [Mudhaaf] water is invalid, although the person making Wudhu' doesn't know of that or he forgot. If he prays with that Wudhu', it is obligatory to repeat the prayer.

Issue ۱۳۲: When there is no water available besides Mixed [Mudhaaf] Water, Tayammum is obligatory. If the Mixed Water was mingled with clay, then, if there is sufficient time, it is obligatory that the worshipper wait until the water clarifies and the

.clay settles, according to obligatory precaution

Issue ١٣٣: Third, that the water of Wudhu’, the area in which the Wudhu’ is performed, the place in which the water of Wudhu’ is poured and the container which the Wudhu’ is performed with, must be lawful according to obligatory precaution. Based on this, if the Wudhu’ is with usurped water or water in which one does not know of the approval of its .owner, there is an objection

Issue ١٣٤: He who does not intend to pray in a Mosque or Husainiyyah, if he does not know that the water which is in these places is a public religious endowment [Waqf 'Aamm] or that it is an endowment only for those who intend to pray in that place? Wudhu’ is not permitted for him in that place. Likewise, Wudhu’ with the water of markets and hotels is not permitted for he who is not one of its people or one of its residents, except that it is .understood from the usage of people to be a public endowment

Issue ١٣٥: Wudhu’ is permitted in large and small rivers without the permission of its owners, although people may not know that the owner is agreed. Regarding when its ownep expressly prohmbited Wudhu’ in it, the obligatory precaution is to abandon (performing Wudhu’ there). If it was another tributary of the river, without the permission .of its owner, then, the precaution is not to perform Wudhu’with it

‘Issue ١٣٦: Fourth, that the container with which its water Wudhu

.is performed, not be made of gold or silver according to obligatory precaution

Issue ۱۳۷: Fifth, that the limbs of Wudhu' at the time of washing or wiping be pure [Taahir]. Regarding if the limb becomes impure after completing the washing of that limb, the .Wudhu' is correct

Issue ۱۳۸: When a place on the body becomes impure besides a limb of Wudhu', it is permitted to perform Wudhu' in that state. However, the recommended precaution is to .'wash the exiting place of urine and stool first, then, perform the Wudhu

Issue ۱۳۹: Sixth, that the time is sufficient for Wudhu' and prayer together. Then, when the time was not ample, rather, the time is restricted wherein if Wudhu' is performed, the entire prayer or a portion of the its obligatory parts will occur outside of the proper time, .Tayammum is obligatory

Issue ۱۴۰: He whose duty is to perform Tayammum in restricted time, however, performed Wudhu' for prayer, his Wudhu' is invalid. Regarding if he performed Wudhu' .for other than prayer, like reciting the Qur'an, his Wudhu' is correct

Issue ۱۴۱: Seventh, that the Wudhu' is performed with the intention of Qurbah, meaning that he performs Wudhu' for the sake of Allah. Then, if he performed Wudhu' for eyeservice or reputation or for refreshment and that which is similar to that, his Wudhu' is invalid. However, when he intends with certainty that he is performing the Wudhu' to comply with the command of Allah, and knows that he will also be refreshed in the

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.course (of performing Wudhu'), there is no harm in that

Issue ۱۴۲: Eighth, that the proper order is taken into account, meaning that the face is washed first, then, the right arm, then, the left arm. Then, the head is wiped, then, the .feet (are wiped). The precaution is that left foot is not wiped before the right

Issue ۱۴۳: Ninth, that these actions are performed with continuity whereas it is said that one thing is performed behind another without any break. If it is performed as such, his Wudhu' is proper although his preceding limbs dry from the effect of the heat of the air or the blowing of the wind. However, when he did not pay attention to the continuity (of the actions of Wudhu'), his Wudhu' is invalid although the moisture of his preceding limbs had .not dried due to the effect of the coolness of the air

Issue ۱۴۴: Tenth, (the Wudhu' is performed) directly, meaning that people wash their face and their arms and wipe their heads and feet themselves. If someone other than he performed the Wudhu' or assisted him in putting the water on his face and arms or wiping his head or feet, his Wudhu' is invalid. However, there is not objection in the preparation .'of the preliminaries of Wudhu

Issue ۱۴۵: Eleventh, that nothing is preventing the usage of water. Then, when there is fear of injury or fear of thirst if the existing water is used in Wudhu', Tayammum is .obligatory upon him

:Issue ۱۴۶

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Twelfth, that there is no barrier to the water reaching the skin of his body. If he knew that something is attached to one of the limbs of Wudhu' but had doubt in it preventing the water from reaching the skin or not, it is obligatory for him to remove it first, then, perform Wudhu'.

Issue ۱۴۷: Dyes and coloring which does not prevent the contact of water with the body does not harm the Wudhu'. However, when it prevents contact or there is doubt in it being a barrier, it is obligatory to remove it.

Issue ۱۴۸: The existence of a ring or bracelet and whatever resembles that on the hand, when it does not prevent the contact of the water with the body, it does not harm the Wudhu' and it is possible to change (its position) or move it in order to allow the water to contact that which is beneath it and wash it. When he sees a ring or some other barrier on his hand after Wudhu' and he does not know if this was on his hand at the time of Wudhu' or not, his Wudhu' is correct, with the condition that it is probable that he had paid attention to this matter during the Wudhu'.

Issue ۱۴۹: If he who had (a valid) Wudhu' doubts whether his Wudhu' has become invalid or not, he considers his Wudhu' as remaining (intact).

Issue ۱۵۰: He who has excessive doubt in the actions of Wudhu' or its conditions, like the

purity of the water or the existence of a barrier on the limbs of Wudhu', it is obligatory .that he pay no attention to his doubt

Issue ١٥١: When the urine or stool emerge continuously whereas it is great difficulty for the one afflicted with this ailment (called Masloos and Mabtoon) to perform Wudhu' each time after the emergence of urine or stool. Wudhu' once suffices for him. Rather, it is permitted that he pray Zuhr and 'Asr and Maghrib and 'Ishaa' with one Wudhu' although .the precaution is that he perform Wudhu' for each prayer

Issue ١٥٢: When the Masloos or the Mabtoon urinate or defecate during the prayer willfully, it is obligatory that he perform Wudhu' and this situation is not considered as .(part of his state (of illness

Issue ١٥٣: It is obligatory upon the Masloos and the Mabtoon to prevent the spread of Najaasah to other places on the body by using a pouch or something similar to that. The .obligatory precaution is to purify the exit place (of urine and stool) before every prayer

:Issue ١٥٤: The Wudhu' is obligatory for six matters

- .(The obligatory prayers (besides Salatul-Mayyit, the funeral prayer
- .The forgotten prostration and the forgotten Tashahhud
- The obligatory Tawaaf (it is necessary to pay heed that the Tawaaf which is part of the Hajj or 'Umrah is counted as a Waajib Tawaaf and the 'Umrah and Hajj are originally .(recommended
- When a vow [Nazr], oath [Half] or covenant ['Ahd] is made to Allah, be He Glorified, to

perform Wudhu' and remain purified (when there is preponderance [Rujhaan], like desiring to kiss the writing of the Holy Qur'an out of respect).

- To purify the Qur'an which has acquired impurity or to remove it from a toilet or something similar to that when compelled to touch the writing of the Holy Qur'an with the hand or another place on the body.

Issue ١٥٥: It is forbidden for he who does not have Wudhu' to touch the name of Allah, the Exalted in any language it may be in (according to obligatory precaution). Likewise, (it is forbidden) to touch the name of the Messenger of Allah, the A'immah of guidance and Fatimah Az-Zahrah, the blessings of Allah be upon them all, when there is a breach of respect in that.

Issue ١٥۶: The Wudhu' is recommended for a number of matters: recitation of Qur'an; prayer for the deceased (Salatul-Mayyit) and supplication (Dua') and what is similar to supplication. Likewise, Wudhu' is recommended for he who has Wudhu' when he desires to pray. If he performs Wudhu' for any one of these aims, it is permitted that it stand for each of the matters which have Wudhu' as a condition in it.

Issue ١٥٧: Eight things invalidate the Wudhu' and cancel it.

- Emergence of urine.
- Emergence of stool.
- Emergence of air from the exiting place of stool.
- Sleep which overcomes reasoning, hearing and sight all together. As for when the eyes do not see but the ears hear, the Wudhu' is not invalidated.
- That

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which removes the reasoning, like intoxication, unconsciousness, insanity (according to .(obligatory precaution

- .Istihaadhah (Irregular Bleeding), as will come in its proper place
- .All which, by reason of it, requires Ghusl, like Janaabah
- .Touching the dead body of man

Types of Water

Kurr Water (۱

Small Quantity of Water, Qaleel Water (۲

Flowing Water, Jaari Water(۳

Rain Water, Ghayth/Matar Water (۴

Well Water, Bi'r Water (۵

Rulings of Water

Issue ۲۹: Mixed Water [Maa'ul-Mudhaaf], like rosewater or fruit juices and that which is similar to those, does not purify an impure thing. Thus, Wudhu' and bathing is not proper .with it

Issue ۳۰: When an impurity makes contact with Mixed Water it becomes impure except in :three circumstances

.First:: That the Mixed Water is flowing from a higher to lower point

Second: That the Mixed Water is rising from the lower to the higher point with force, like a fountain. Then, in this state, the part contacting the impurity in the higher part only .becomes impure

Third: That the Mixed Water is very excessive whereas the impurity does not flow into it, like a large pool filled with mixed water and an impurity makes contact with one side. In .these instances, the mixed water does not become impure

Issue ۳۱: When Mutanajjis Mixed Water mixes with a Kurr of Flowing Water and .whenever the title of Mixed cannot be applied upon it, it becomes pure

Issue ۳۲: When we have doubt in a water which was pure, that it has become Mixed Water or not, for example, torrents of water which we do not know whether the title of water can be applied upon it or not, then, its ruling is the ruling of pure water. Meaning that

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it is permissible to purify Mutanajjis (contaminated by an impurity) things and Wudhu’ and bathing is proper with it. Regarding when we have doubt in a water that was mixed and (we have doubt whether) it has become pure or not. Then, its ruling is the ruling of Mixed .Water

Issue ۳۳: (Fluids contacting) the mouths of impure animals (like the dog and pig) are impure. However, (fluids contacting) the mouths of animals whose flesh is forbidden (to .eat, like the cat and carnivorous animals) are pure, although drinking it is Makrooh

Issue ۳۴: It is Mustahabb that drinking water be completely clean. The drinking of polluted water which causes sickness is forbidden. Likewise, the water which is used in bathing and cleaning is necessary to be clean. It is obligatory to avoid putrid and polluted water .wherever possible

Rules of The Lavatory

Issue ۳۵: It is obligatory that people cover their private parts in the state of using the lavatory (urinating or defecating) or in other times, be the onlooker from his Mahram (like sister or mother) or non-Mahram. Be the onlooker mature or immature, rather, even the discerning child who can distinguish between good and bad. However, it is not obligatory .for the husband and wife to cover their private parts from the other's view

Issue ۳۶: It is permissible to take advantage of anything possible to cover the private .parts, even the hand or muddy water

Issue ۳۷: At the time of using the lavatory, it is obligatory not to face the Qiblah or have the

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back facing the Qiblah. It does not suffice to turn the private parts alone away from the direction of the Qiblah if the body is facing the Qiblah or the back is facing it.

Issue ۳۸: It is allowed to purify the place where stool exits (the anus) with water or purify it with three pieces of paper or stone or cloth or that which resembles these items. Except when the impurity (stool) spreads beyond the common limit (around the anus) and soils the extremities of the anus or another impurity (like blood) emerges with the stool or another impurity makes contact with the person from outside. Then, in these situations, the place where stool exits cannot be purified except with water.

Issue ۳۹: The exiting place of urine is only purified with water and if it be a small quantity of water, it is obligatory to wash it twice. Regarding if it is purified with (water coming from an) expandable hose connected by a tube to the pipes whose ruling is the ruling of flowing water, it suffices to wash it once.

Issue ۴۰: When it is desired to clean and purify the exiting place of stool with three sides of one stone or one piece of cloth or paper and that which resembles (cloth and paper), it is sufficient. The number of pieces is not conditional.

‘Istibraa

(Impurities (Najasaat

Methods of Establishing Impurities

Issue ۷۱: The impurity of something can be established by one of the following three methods:

First: That man himself has certainty in an impurity, supposition [Zann]

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does not suffice. If (the supposition) was strong and based upon that, it is permitted to eat from the foods and general places which many people suppose, with a strong supposition, the food to be impure, except that there is certainty in it (being impure).

Second: That the possessor informs you of that (in other words, he who the impure thing is in his possession or at his disposal, like the owner of a house, the seller and servant).

Third: That two just individuals witness that (something is impure). Rather, even one just person.

Issue ۷۲: It is obligatory for the one suffering from the illness of (excessive) doubt [Waswaas] not to pay attention to his knowledge or certainty in purification and impurity. Rather, it is obligatory upon him to observe ordinary persons when they obtain certainty in purification and impurity, then, he acts accordingly. The best manner in escaping from the illness of (excessive) doubt is not regarding nor paying attention (to the insinuations of doubt).

Issue ۷۳: It is recommended, in addition to the observance of the issues of purification and impurities, observance of cleanliness of the body, clothing, the home, residences, the means of conveyance and environment just as the Messenger of Allah, peace be upon him and his descendants and the A'immah of guidance were doing.

Reasons for the Spread of Impurities

Issue ۷۴: When something pure contacts something impure and one of the two are wet, (the pure thing) becomes impure. Regarding when both are dry or the wetness was of a small quantity whereas the

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impurity does not spread, it does not become impure (except when something touches the corpse of man before being washed whereas the obligatory precaution is to avoid it although it is dry).

Issue ۷۵: When it is known that a place on a carpet or cloth is impure, however, that place is not known specifically, then, when a place is touched, the hand does not become impure. Thus it is when that one of two things are impure but the Mutanajjis (contaminated by an impurity) one of the two is not known. If one of the two is touched, it does not bring about impurity.

Issue ۷۶: When a place in soluble oil and syrup is contacted by an impurity, all of it becomes impure. Regarding when they are not soluble in the manner that (the impurity) goes from one place to another, the place contacting the impurity is impure only and it is permissible to take (the impurity) and discard it.

The Rules of Impurities

Issue ۷۷: First, eating an impurity and drinking it is forbidden. Likewise, it is forbidden to feed someone a source of impurity ['Aynun-Najaasah], like a intoxicant (being given to a baby). It is obligatory (according to obligatory precaution) to avoid from feeding Mutanajjis (contaminated by an impurity) foods to children also. However, there is no objection in that (food being made impure) by reason of the impurity of their own hands.

Issue ۷۸: There is no objection in trading or lending the Mutanajjis (contaminated by an impurity) thing and also it is

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not obligatory to inform (the other party of it being impure) except when the buyer or the one borrowing intends to eat it or use it in prayer and matters similar to that. In this situation, the obligatory precaution is to give notice (of its impurity). Thus it is for the borrower when the thing (borrowed) had become impure in his possession, that he must .give notice (of the impurity) at the time of returning it to its owner

Issue ۷۹: When a person sees that a person is eating something Mutanajjis (contaminated by an impurity) or he is praying in impure clothing without knowledge of that, it is not obligatory to inform him. Regarding when the owner of a house sees his guest sitting on .an impure carpet with wet clothing, the obligatory precaution is to inform him

Issue ۸۰: Second, it is forbidden to make the writing of the Glorious Qur'an and its pages impure. If it becomes impure, it is obligatory to purify it immediately. If the impurification of the cover of the Qur'an necessitates the desecration of the sanctity of the Qur'an, that .is prohibited also

Issue ۸۱: It is forbidden to place the Qur'an in the hands of the non-Muslim when it is deemed to desecrate the sanctity of the Almighty Book. Regarding when there is hope (in the non-Muslim's) guidance or it is for the purpose of prorogation of Islam, it is permitted, .rather, perhaps it is obligatory

Issue ۸۲: Third, it is forbidden to make the Turbah

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of Hussain, upon him be peace, impure and it is obligatory to purify it (if it becomes impure). When the Turbah drops in a place where there is an impurity, it is obligatory to .remove it

Issue ۸۳: Fourth, it is forbidden to make a Mosque impure and it is obligatory to purify it (if it becomes impure). The explanation of this matter will come in the examination of the rules of the Mosque in the (section on) the place of the worshipper, with permission of .God, the Exalted

Issue ۸۴: Fifth, it is obligatory that the body of the worshipper, his clothing and the place of his prostration be pure. The explanation of these matters will also come in the .(examination of the clothing of the worshipper and his place (of worship

(Purifiers (Mutahhiraat

Water

(Physical Change (Istihaalah

Issue ۱۰۱: When a source of impurity changes whereas it becomes such that the name of that impurity cannot be applied to it, rather, it acquires another name, it becomes pure. The title of Istihaalah is applied upon this type of change, like a dog happening upon salty earth and it is converted to salt. As such, when something Mutanajjis (contaminated by an impurity) is changed completely like Mutanajjis (contaminated by an impurity) wood burning, then, it becomes ashes or the evaporation of Mutanajjis (contaminated by an impurity) water. Regarding when the characteristic of something is changed only, like the milling of Mutanajjis (contaminated by an impurity) wheat, then, it becomes flour but it is .not pure

Issue ۱۰۲: Wine which

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is transformed to vinegar by itself or by means of something put in it, is pure and that is .called Inqilaab

Issue ۱۰۳: When grape juice is boiled by fire it is not impure, however, it is forbidden to eat. Regarding when the majority was boiled until two thirds of it evaporated, the remaining one third its drinking became permissible. When it boiled by itself or became alcoholic it is forbidden and impure. It is purified and made lawful by its transformation .into vinegar

Issue ۱۰۴: When the blood of man or the blood of an animal having flowing blood is transferred to the body of an animal not having flowing blood and is deemed as part of the blood of that animal, it becomes pure. This is called Intiqaal. Based on this, the blood of a mosquito which is part of its body is pure, although it is taken originally from man. However, the blood which a leech sucks from a man is not pure because it is not deemed .as part of its body

Issue ۱۰۵: We stated in the study of impurities that the obligatory precaution is to avoid the non-Muslim. Then, when he bears witness to the two attestations, in other words he says: I bear witness that there is no God except Allah and I bear witness that Muhammad is the Messenger of Allah, he becomes a Muslim and his body is purified. If there was a source of impurity upon his body, it is obligatory to remove

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it and purify the place with water. However, when the source of the impurity had been removed before accepting Islam, it is not obligatory to purify the place of impurity after .his accepting Islam

Issue ۱۰۶: When wine is transformed into vinegar, its container is purified up to the limit which the wine had reached or the grapes at the time of boiling. Likewise, it purifies cloths or coverings which are place on it and the Najis moisture reaches it, ordinarily. Regarding when the cover is removed at the time of boiling and the exterior of the utensil had .become soiled by, the exterior of the utensil is not purified after its becoming vinegar

Issue ۱۰۷: When a non-Muslim becomes a Muslim, his body becomes pure (as well as) his .children and his immature subordinate grandchildren

Issue ۱۰۸: When the body of an animal becomes impure, it is purified by merely removing the source of impurity from it. For example, when the beak of a bird is soiled with blood or an animal sets down on something soiled with an impurity, the place contacting the impurity is purified by merely removing the source of the impurity from it (blood or other .(than blood

Issue ۱۰۹: When the inside of the body of man becomes impure (like the inside of the mouth or nose), that place is purified by merely removing the source of the impurity from it. For example, when blood emerged from the gums and it fades into the saliva of the mouth

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and is removed or the blood is spit from his mouth, it is not necessary to purify the inside of the mouth. However, when there are artificial teeth inside of the mouth, then, the .obligatory precaution is to remove them in this situation and purify them with water

Issue ١١٠: When an animal is habituated with eating the stool of man, its urine and stool becomes impure and it is also forbidden to eat its flesh. When it is desired to purify it, it is obligatory to feed it pure food until the title of a polluted animal [Jallaal] is negated. That is obligatory in the camel for forty days; in the cow for thirty days; in the sheep for ten days; in the duck and goose five days and in the domestic chicken for three days. It suffices in .other animals in the amount (of time) that the title of a polluted animal is negated

Issue ١١٢: When the body of a Muslim, his clothing or any other thing which he possesses becomes impure and he is aware of that. Then, that Muslim disappears. When it is probable for the person that he could purify it, it is pure with the condition that the Mutanajjis thing is one of the things in which purity is conditional in its usage, like clothing .which he prays in, like food and utensils which food is eaten from

Issue ١١٣: When a Muslim gives his Mutanajjis clothing to launderer managed by a Muslim to wash it

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.and purify it, his saying (regarding its being purified) is accepted

Issue ۱۱۴: It is not allowed to use utensils and waterskins manufactured from the hide of a dead corpse [Maitah] or from the hide of an animal (which is a) source of impurity, like the dog and the pig. (It is not allowed to use it) in eating, drinking, carrying the water of Wudhu’ and Ghusl and whatever is similar to that. There is nothing preventing its usage in actions in which purity [Tahaarah] is not conditional (like watering agriculture and animals), although the recommended precaution is not taking advantage of it in any .respect

Issue ۱۱۵: It is forbidden to eat and drink from gold and silver utensils and using them, rather, it is not allowed, according to obligatory precaution, to employ (gold and silver) in .decorating a room or any other purpose

Issue ۱۱۶: It is obligatory to avoid manufacturing gold and silver utensils and the payment taken for that, according to obligatory precaution. Likewise, its selling and buying (is to be avoided). In the property which is taken in exchange of (these utensils), there is an .objection

The Issues of Wudhu’ and Ghusl

‘The Method of Performing Wudhu

(The Rules of Wudhu’ With a Bandage (Jabeerah

The Jabeerah is that which is wrapped around a wound or breakage and that medicine .(and dressing which is placed on (the wound or breakage

Issue ۱۵۸: When there is a wound, boil or breakage on one of the limbs of Wudhu’ and it is uncovered and there is no blood and no harm in using water on it, the customary Wudhu’ .is obligatory

Issue

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When the wound, abscess or breakage is on the face or arms and it is uncovered, but :۱۵۹ it is injurious to pour water on it, it suffices to wash its extremities and sides. However, when it is not harmful to wipe the wet hand over (the injured area), it is obligatory to do that as well. As for when it is harmful or (the area) is Najis not being possible to purify it, it .is recommended to place a pure cloth on it and wipe the wet hand over the cloth

Issue ۱۶۰: When the wound, abscess or breakage is in the place of Wudhu’, then, if it is not possible to wipe (the area), it is obligatory to place a pure cloth upon it or something similar and wipe upon the cloth with the wetness of Wudhu’. The obligatory precaution is to perform Tayammum as well. When it is not possible to place a cloth upon (the wound), the Wudhu’ is obligatory without wiping [Mash] and the obligatory precaution, in this .situation, also to perform Tayammum

Issue ۱۶۱: When there is a Jabeerah on the wound, abscess or breakage, in other words, it is covered with a cloth or plaster or something similar to that. If it is not harmful to open it and uncover the wound and whatever is similar to that and there is no great difficulty in it and the usage of water is not harmful, it is obligatory to open it and (perform) Wudhu’. In other

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than this situation, it is obligatory to wash the extremities of the wound or breakage and the recommended precaution is to wipe on top of the Jabeerah also. When the Jabeerah is Najis or it is not possible to wipe upon it with the wet hand, place a pure cloth upon it .and wipe the wet hand upon it

Issue ۱۶۲: Ghusl Jabeerah is like Wudhu' Jabeerah, however, it is obligatory to perform .Ghusl Tarteebi as far as possible according to obligatory precaution

Issue ۱۶۳: He whose duty is to perform Tayammum Jabeerah, if there is a wound, abscess or breakage on the limbs of his Tayammum, it is obligatory to perform Tayammum .Jabeerah in the manner of Wudhu' Jabeerah

Issue ۱۶۴: There is no repetition of the prayer which was prayed with Wudhu' or Ghusl Jabeerah except that the excuse was removed before the expiration of the time of prayer. Then, in this situation, it is obligatory to repeat the prayer according to obligatory .precaution

The Obligatory Baths

:Issue ۱۶۵: The obligatory baths [Ghusl] are seven

- [Bath of ritual impurity [Ghusl Al-Janaabah
- [Bath of menstruation [Ghusl Al-Haidh
- [Bath of childbirth [Ghusl An-Nifaas
- [Bath of irregular bleeding [Ghusl Al-Istihaadhah
- [Bath of touch a corpse [Ghusl Massil-Mayyit
- [Bath of the deceased [Ghusl Al-Mayyit
- The recommended [Mustahabb] bath which becomes obligatory by means of a vow .[Nazr] or oath [Yameen] and things similar to that

The Rulings of Janaabah

point

:Issue ۱۶۶: Janaabah is acquired in people by two means

- .First: Sexual intercourse
- Second: The discharge of semen whether it be in sleep or while

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.awake. Be (the semen) a little or a lot, (discharged) with passion or without

Issue ۱۶۷: When a fluid is discharged from a person and it is not known whether it is semen or another fluid, then, if its discharge was accompanied with an outpouring and passion, its ruling is the ruling of semen. When it is devoid of these two signs or even one of the two, the ruling is not applied upon it.. However, it is not conditional in the woman or the sick that this fluid is accompanied with an outpouring. Rather, when it is discharged at .the time attaining (a state of) passion, the ruling of semen is applied upon it

Issue ۱۶۸: The body usually becomes limp after the discharge of semen. This matter, however, is not one of the conditions nor a certain sign except when certainty is obtained .from it

Issue ۱۶۹: When there was movement of semen from its place, however, the person holds back from ejaculating and discharging or it doesn't discharge by itself for another reason, the Ghusl is not obligatory, likewise it is when there is doubt in the discharge of the .semen

:Issue ۱۷۰: Five things are forbidden for the ritually impure

• Touching the writing of the Glorious Qur'an or the name of Allah or the names of the Prophets and A'immah, according to obligatory precaution, as was mentioned in (the .'issues of) Wudhu

• Entering the Sacred Mosque [Masjid Al-Haraam] and the Prophet's Mosque [Masjid An-Nabiy], even to enter from one gate

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.and exit from another

- To stay or linger in other Mosques. As for entering into one gate and exiting from another or entering in it with taking anything from it, there is no objection nor any obstacle. The obligatory precaution is that one not stay in the Mausoleum of the A'immah .as well

Issue ١٧١: The chapters (of Qur'an) which the four obligatory verses of prostration are in, :they are

- Chapter As-Sajdah, the starting point of the Verse of prostration is at: "Only they believe .(in Our communications..." (Verse: ١٥
- Chapter Fussilat, the starting point of the Verse of prostration is at: "of our signs are the .(night and the day..." (Verse: ٣٧
- Chapter An-Najm, the starting point of the Verse of prostration is at: "So make .(obeisance..." (Verse: ٦٢
- Chapter Al-'Alaq, the starting point of the Verse of prostration is at: "Nay, obey him .(not..." (Verse: ١٩

Ghusl al-Janaabah

Issue ١٧٢: When performing Ghusl Al-Janaabah to remove Janaabah (Ritual impurity) or purification, this Ghusl is recommended [Mustahabb]. As for when it is performed for a obligatory prayer, then, it is obligatory. The Ghusl is not obligatory for Salatul-Mayyit (the Funeral Prayer), the Prostration of Thankfulness [Sajdah Ash-Shukr] or the obligatory Qur'anic prostrations (when the Verse of Prostration was from another person). Rather, it is permitted to perform these acts in this state, however, it is best to bathe for Janaabah .for the Salatul-Mayyit and the Prostration of Thankfulness and things similar to it

Issue ١٧٣: It is possible to perform the Ghusl Al-Janaabah in

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two ways, whether it be obligatory or recommended: Sequentially [Tarteebi] by .[immersion [Irtimaasi

Issue ۱۷۴: The Sequential Bath [Ghusl At-Tarteebi] is that after making the intention [Niyyah], the head and neck are washed first, then, the right side and, then, the left side (according to obligatory precaution). If this sequence is not performed intentionally or due .to forgetfulness or due to ignorance of the ruling, the Ghusl must be repeated

Issue ۱۷۵: The Immersion Bath [Ghusl Al-Irtimaasi] is to immerse the body in water, after intention, at one time or in stages. It being the same whether it be in a pool or stream or under a water fall whose water covers the entire body at one time. It is not possible to .make the Immersion Bath in the water of the common shower

Issue ۱۷۶: It is permissible in the Sequential Bath, to enter under water three times, once with the intention of the head and the neck, a second time, with the intention of the right .side and the third time, with the intention of the left side

The Rules of Ghusl

Issue ۱۷۷: In the Immersion Bath, it is obligatory that the entire body be pure [Taahir] (according to obligatory precaution). However, in the Sequential Bath, it is not obligatory .that the entire body be pure, rather, it is sufficient if each limb is pure before bathing

Issue ۱۷۸: At the time of bathing, it is obligatory to remove all that prevents the contact of the water with the skin of the body. If there is

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a reasonable possibility that a barrier exist there, an investigation is obligatory until .certainty is obtained that a barrier is non-existing

Issue ۱۷۹: Short hair which is deemed as part of the body is obligated to be washed at the time of bathing. It is necessary, according to obligatory precaution, to wash long hair and .that which is under it, like the skin

Issue ۱۸۰: The conditions which were mentioned for Wudhu', like the purity of the water and other than that, are also considered in Ghusl. However, it is not necessary in Ghusl that the washing be from the higher point to the lower. Likewise, there is no harm in the occurrence of a time gap between the washing of the limbs in the Sequential Bath, except when the person cannot restrain his urine or stool. Then, it is obligatory upon him to perform the actions of Ghusl consecutively without any gap and pray immediately. .Likewise, this ruling is related to the woman having Istihaadhah

Issue ۱۸۱: It is permitted to perform numerous obligatory Ghusl or an obligatory Ghusl and a recommended Ghusl in one Ghusl with one intention. Meaning that he bathe one time with the intention of Janaabah or Haidh (menstruation) or touching the dead body or .the bath of Friday and similar to these. This Ghusl suffices for all

Issue ۱۸۲: It is permitted to perform the prayer after any of the kinds of Ghusl. The Wudhu' is not obligatory whether that Ghusl be the Ghusl Al-Janaabah or other than

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that. Whether it be an obligatory Ghusl or a known recommended Ghusl. However, the recommended precaution is to perform Wudhu' in other than Ghusl Al-Janaabah.Ghusl Al-Istihaadhah

Issue ١٨٣: The blood of Istihaadhah is one of the bloods which is discharged from women and in this state she is called Mustahaadhah. In general, every blood which is discharged from the womb of a woman, other than the blood of Haidh (menstruation), Nifaas .(Childbirth), a wound or abscess, is the blood of Istihaadhah

Issue ١٨۴: Mostly, the blood of Istihaadhah is light in color, cold and thin. It is discharged without force or irritation. It is possible, at times, to be dark or red and warm and thick .and emerge with force and irritation

Issue ١٨۵: Istihaadhah has only two types: Qaleelah (a small quantity) and Katheerah (a large quantity). Istihaadhah Qaleelah is that blood which, when a woman enters a clean napkin into her virgina, the blood stains the napkin, however, it does not soak through to the other side, it being the same whether the blood has penetrated inside the napkin or not. Istihaadhah Katheerah is that blood which penetrates inside the napkin and emerges .from the other side

Issue ١٨۶: In Istihaadhah Qaleelah, it is obligatory for the woman to perform Wudhu' for each prayer, according to obligatory precaution. It is obligatory to prevent the blood from spreading to the remaining limbs. However, it is not obligatory to change the cotton or ,napkin which (the place of emergence of blood) is secured with

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.(although the precaution (is to change it

It is obligatory in Istihaadhah Katheerah to perform three baths: a bath for the morning prayer (Salatul-Fajr) a bath for Salatuz-Zuhr and 'Asr and a bath for Salatul-Maghrib and 'Ishaa'. It is obligatory to combine the two prayers, in other words, each of the Zuhr and 'Asr and each Maghrib and 'Ishaa'. After every bath, the recommended precaution is to .perform Wudhu' for every prayer also, whether before the bath or after it

Issue ۱۸۷: In all of the circumstances in which Ghusl is obligatory, when the repetition of the Ghusl is harmful in her state or is a cause of great difficulty, it is permitted for her to .perform Tayammum as a substitute for Ghusl

Issue ۱۸۸: It is obligatory upon the Mustahaadhah that she immediately engage in prayer after the Ghusl or Wudhu'. However, there is no objection in performing the Azaan and Iqaamah or reciting narrated supplications before prayer, rather, waiting on the congregation in the customary amount of time. Likewise, it is permitted for her to perform the Mustahabbaat (recommended acts) of prayer, like the Qunoot and whatever is similar .to that

Issue ۱۸۹: When blood flows outside (the womb), it is obligatory for the woman to obstruct the blood and prevent it from emerging prior to the bath and after it by means of a clean napkin and that which resembles that if there is no harm nor difficulty in that. Regarding if there is difficulty in (using a napkin), it is

.not obligatory

Issue ۱۹۰: It is obligatory upon the Mustahaadhah to fast the month of Ramadhaan. Her fasts are only correct when she bathes for Salatul-Maghrib and 'Ishaa' in the night which she intends to fast for the coming day. Likewise, is the baths of the day in which she fasts .((according to obligatory precaution

Issue ۱۹۱: All blood which is discharged from a woman and does not have the qualities of Haidh and Nifaas nor their conditions and is not connected with (the bleeding of) virginity .or an injury in the womb, it is the blood of Istihaadhah

The Rulings of Haidh

point

Issue ۱۹۲: Haidh is that (bleeding) which may be at times considered as a monthly custom, the blood being discharged from the womb in every month for a number of days, in most cases. This blood is converted to nourishment for the embryo at the time of inception. The woman who is in the state of Haidh is said to be Haa'idh. For the Haa'idh in the noble .Islamic legislation there are some rules whose mention will come in the following issues

Issue ۱۹۳: The signs for the blood of Haidh are: that this blood, most often, is thick, warm .and its color is dark or red. It is discharged with force and some type of irritation

Issue ۱۹۴: Sayyidah women and non-Sayyidah women become menopausal [Yaa'isah] after their completion of fifty years, without any difference (between the two). Meaning, that when she sees blood after completing fifty years, she does not consider it the blood

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of Haidh, except when she is counted from among the tribe of the Quraish. They become .menopausal after completing sixty years

Issue ١٩٥: The blood which a young girl sees before completing the age of ten and the menopausal woman sees does not have the ruling of Haidh. It is the blood of Istihaadhah .when it is not the blood of an injury or virginity as mentioned in the previous issues

Issue ١٩٦: It is possible for the pregnant woman and the woman breast feeding to .menstruate

Issue ١٩٧: The period of Haidh is not less than three days and not more than ten days. .Even if it is less than that by a small amount, also it is not counted as Haidh

Issue ١٩٨: The woman who is afflicted with hemorrhaging of the womb should refer to a doctor. The doctor can distinguish whether this is the blood of Haidh or the blood of an injury and things similar to that. If she is content with the word of the doctor, she acts according to the established rules according to the (doctor's determination), otherwise, its .rules will be shortly mentioned

:[Issue ١٩٩: The following acts are forbidden for the menstruating woman [Haa'idh

- All of the worship which is dependent upon Wudhu' or Ghusl or Tayammum, like prayer, fasting, Tawaaf of the Mighty Ka'abah. However, nothing prevents one from performing the worship in which this purification is not conditional, like the Funeral Prayer [Salatul-.[Mayyit

- All of the acts which are forbidden for the Junub and

.that which was mentioned in the rulings of Janaabah

- .Intercourse, for the man and the woman
- .Divorce in this state is invalid and has no effect

Issue ٢٠٠: When (a man) has intercourse with his wife and she is menstruating, it is recommended that he pay a Kaffaarah. The Kaffaarah in the first trimester of the days of menstruation is determined as a Mithqaal of minted gold or its value (a Mithqaal is considered to be ١٨ grains). If the intercourse was in the second trimester of the days of menstruation, then, the Kaffaarah is one half Mithqaal of gold. When it occurred in the .third trimester, then, the Kaffaarah is one quarter Mithqaal of gold

Based on that, if the sum of all the days of menstruation is six days, then, the total Kaffaarah of the menstruating woman in the first two days is one Mithqaal of gold. In the .third and fourth day, one half Mithqaal and in the fifth and sixth day, one quarter Mithqaal

Issue ٢٠١: When a woman states: I am menstruating or I am free of menses, her word is .accepted, except that it be an instance of suspicion or ill opinion

Issue ٢٠٢: There is no Qadhaa' (or remake) for the daily prayers which the menstruating woman did not perform during the days of her menstruation. However, it is obligatory to .perform the Qadhaa' of the fasts which had lapsed during the days of menstruation

Issue ٢٠٣: It is recommended for the menstruating woman at the arrival

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of the time of her prayer to purify herself from blood and change the cotton and napkin, perform Wudhu' or Tayammum when Wudhu' is not possible she sits in her place of prayer facing the Qiblah and engage in remembrance of Allah, Dua' and Salawaat. However, she should not recite the Qur'an nor carry it nor touch the margins and the sections which are between the script and lines. Likewise, (she should not dye anything) .with Henna

Categories of Menstruating Women

point

:Issue ٢٠۴: Menstruating women are of six categories

- Possessing a custom of time and number [Zaatul-'Aadatil-Waqtiyyah wal-'Adadiyyah]. It is she who sees the blood of Haidh in two consecutive months in a particular time and the number of days in which she sees the blood in each of the two months are equal. Like, she .sees blood in each two months from the beginning of the month until the seventh day

- Possessing a custom of time [Zaatul-'Aadatil-Waqtiyyah]. It is she who see the blood of Haidh in two consecutive months in one specific time, however, the number of days are different in the two months. For example, in one month she sees five days and in another month she sees seven days, although the beginning of the menstruation in each of the .two months is, for example, the beginning of the month

- Possessing a custom of number [Zaatul-'Aadatil-'Adadiyyah]. It is she whom the days in which she sees the blood of Haidh in each two months is equal in number. For example, in each

two months she sees seven days, however, the time is different. For example, one time she sees (the blood) in the beginning of the month or more, and another time, she it on .the tenth day, or more

- Mudhtaribah. It is she who menstruates in a number of months, however, a particular custom is not established for her or she had previously established a custom but it was .disturbed and a new custom has not been established

- .Mubtadi'ah. It is she who is menstruating for the first time

- .Naasiyah. It is she who has forgotten her custom

For each one of these menses there are particular rules which will be mentioned in the .coming issues

The Possessor of a Custom of Time and Number .۱

Issue ۲۰۵: The possessor of a custom of time and number menstruates by merely seeing blood in the days of her custom. The ruling of Haa'idh is applied to her until the end of her .custom whether the blood has the characteristics of the blood of Haidh or not

Issue ۲۰۶: When the possessor of a custom of time and number sees blood for two or three days before the time of her custom or after it whereas it is said that it has preceded or has been delayed beyond her custom, it is obligatory that she act according to the duties of the Haa'idh whether that blood is characterized with the characteristics of Haidh .or not

Issue ۲۰۷: When the possessor of a custom of time and number sees blood a number of days before her custom or

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days after it (as is known with women where they precede or delay the custom at times) and the total of (these days) does not exceed ten days, all of it is Haidh. When it exceed ten days, the blood which she sees in the days of her custom is Haidh only, whatever .precedes it or comes after it is Istihaadhah

Likewise, when she sees blood a number of days before the days of her custom in addition to the all of the days of her custom or she sees blood only a number of days after her custom in addition to all the days of her custom and the total does not exceed ten days, all of it is Haidh. As for when it exceeds days, she counts only the days of her custom .as Haidh

Possessor of aCustom of Time .٢

Issue ٢٠٨: The possessor of a custom of time, meaning she who sees the blood of Haidh at a particular time for two consecutive months then becomes pure, however, the number of days in the two months are not equal, it is obligatory that she make all of these days as .Haidh with the condition that it is not less than three days and not more than ten days

Issue ٢٠٩: When the possessor of the custom of time sees blood for more than ten days and it is not possible to distinguish the number of days of Haidh by the method of its signs and its characteristics, it is obligatory that she make the number

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of days of the custom of her relatives as (the days of) of Haidh for herself without any difference between the relatives of the father or the mother, be they dead or alive. This is when the majority of them usually are similar. As for when there are differences between them, for example, the custom of some of them is five days and the custom of some others is eight days, then, the obligatory precaution is that she make seven days in each .month her custom

Issue ٢١٠: The possessor of a custom of number, meaning she who the days of her Haidh in two consecutive months are equal, however, they are different. Then, she acts in these .days according to the ruling of Haa'idh

Issue ٢١١: The Mubtadi'ah is she who sees blood for the first time. Then, when she sees blood for ten days or less, all of it is Haidh. When that which she sees is more than ten days and all of it is of one characteristic, it is obligatory that she make the custom of her .relatives as Haidh for herself as has passed in the preceding issue

Note: Issue ٢١٢ was missing from the original text and we have also omitted it to conform) .(to that text

Issue ٢١٣: The Naasiyah is she who has forgotten her custom. Then, when she sees blood for ten days or less, all of it is Haidh. When she sees blood for more than ten days, it is obligatory to make the

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days which her blood is characteristic of the signs of Haidh and its characteristics are that of Haidh (with the condition that it not be less than three days or more than ten days). When it was more than ten days or all of the days (the blood) of one description, then, the obligatory precaution is to make the first seven days as Haidh and the remainder as .Istihaadhah

Issue ۲۱۴: All blood that a woman sees from the emergence of the first part of the child from her stomach is the blood of Nifaas. The woman in this state is called Nafsaa'. Based on this, then, if the blood which is discharged is before the emergence of the newborn .child, it is not Nifaas

Issue ۲۱۵: It is possible that the blood of Nifaas is not more than a moment, however, it is .not possible that it can exceed ten days

Issue ۲۱۶: All of the acts forbidden for the Haa'idh is forbidden for the Nafsaa' and all that is obligatory or recommended or disliked (for the Haa'idh) is also obligatory, .'recommended or disliked for the Nafsaa

Issue ۲۱۷: When the blood of Nifaas exceeds ten days, then, if she is possessing a custom of number in Haidh, the number of days of that custom is Nifaas and the remainder is .Istihaadhah

Issue ۲۱۸: Many women are overcome with bleeding after terminating a pregnancy up to a period of a month or more. Similar to these women it is when they have a custom

in Haidh, it is obligatory that they make the number of days of their custom as Nifaas. After it, meaning after ten days, the ruling of Istihaadhah is applied upon it. After the days of completion of ten days, when she has kept the days of her custom in Haidh, it is obligatory that she act according to the rules of the Haa'idh (whether the blood was characteristic of the blood of Haidh or not). When she does not keep the days of her custom, the rules of Istihaadhah is applied upon (this blood), except if the blood has the .characteristics of Haidh

Issue ۲۱۹: When anyone touches the body of a deceased person after its becoming cold and before its bathing, it is obligatory on he who touches to bathe for touching a dead body [Ghusl Massil-Mayyit] whether the touching was voluntary or involuntary. Rather, if he touched the nail of the deceased with his nail, the Ghusl is obligatory for him. The Ghusl .for touching the dead body is like the Ghusl Al-Janaabah

Issue ۲۲۰: When a miscarried child was touched which had completed its fourth month, the Ghusl is obligatory upon the one touching it. When the deceased child was less than .four months, he should bathe as a recommended precaution

Issue ۲۲۱: When an embryo is born dead which has passed four months or more, it is obligatory upon its mother to perform the Ghusl of touching the dead body as an .obligatory precaution

Issue ۲۲۲: When part of the

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body is separated from the living or deceased which had not been bathed and there is a bone in it (for example, the separated part is a hand or even a finger), then, if someone touches it, the Ghusl of touching the dead body is obligatory upon him. As for when the separated part does not have a bone in it, the Ghusl is not obligatory. Likewise, the Ghusl is not obligatory for touching the bone alone or teeth detached from the dead or the .living

Issue ۲۲۳: He who is obligated to perform the Ghusl of touching the dead body is permitted to enter into the Mosque and read chapters (of the Holy Qur'an) which have the verses of obligatory prostration [Ayaatus-Sajdah] and to have intercourse with his wife. However, it is obligatory to bathe for prayer and that which is similar to prayer, meaning that he who is obligated to perform the Ghusl for touching the dead body is similar to the .'person who does not have Wudhu

Rulings of the Deceased

Rulings of the Dying Person

Issue ۲۲۴: The dying person [Muhtadhir] and he who is in the state of the departure of the soul, it is obligatory (according to obligatory precaution) that he be laid on his back and make the soles of his feet facing the direction of the Qiblah be a man or woman, young or old. When it is not possible to lay him in this manner completely, then, the obligatory precaution is to act in this duty to the extent possible. When it

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is not possible at all, he is sat in the direction of the Qiblah. When that also is not possible, .he is laid on his right side or his side facing the Qiblah

Issue ۲۲۵: It is recommended to dictate to the dying person the Shahaadatain and acknowledgment of the twelve A'immah and the generally known Islamic beliefs in a manner that the dying person understands repeating this dictation until the moment of .death

Issue ۲۲۶: It is recommended to close the mouth of the deceased after death in order that it not remain open and close his eyes and straighten his arms and legs and cover him with a cloth. The believers should be informed (of his death) in order to participate in the procession of his funeral. His burial should be expedited, however, when his death is not .certain, it is obligatory to wait until it is known completely

Issue ۲۲۷: The bathing of the deceased Muslim, his shrouding, the prayer over him and his burial is Waajib Kifaa'i, meaning when some take care (of these duties, the duty) is dropped from the others. When no one takes care (of these duties), all are sinners. There .is no difference in this issue between the different sects of Muslims

Issue ۲۲۸: It is obligatory to seek permission of the guardian of the deceased to wash, shroud, pray upon him and bury him. The husband has the greater right over his wife than all guardians, then, those who inherit from the deceased in the

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order mentioned in the discussion of inheritance. If in one level there are males and .females, then, the precaution is to seek permission from both groups

Issue ۲۲۹: If the deceased has designated a person other than his legal guardian for his arrangements, for example, is he willed that so and so prays his funeral prayer, it is obligatory to act in accordance with his will. The recommended precaution is also to seek permission from his guardians. However, it is not obligatory upon he who the deceased has designated to perform these acts to (actually) perform them, although it is preferred that he accept that. If he accepts, it is obligatory to act according to the will of the .deceased and take care of that which he had designated for him of the mentioned acts

Issue ۲۳۰: It is obligatory to wash the deceased Muslim with three baths in the following :manner

- .(First, with water mixed with Sidr (Lotus Tree leaf
- .(Second, with water mixed with Kaafoor (Camphor
- .Third, with pure water

However, there is no bath for the martyr [Shaheed] and for others whose explanation and .details will come

Issue ۲۳۱: Nothing is preventing the Sidr and Kaafoor to be in a quantity making the water mixed [Mudhaaf]. However, it is obligatory that it not be such a little that it is not truly water mixed with Sidr and Kaafoor. When the water becomes mixed, the best thing is to wash the dead body with it first, then, pour water on it until

.it becomes pure water

Issue ٢٣٢: It is obligatory that the washer of the dead body be a mature, sane Muslim knowledgeable of the issues of bathing (the dead body). The precaution is that he/she be .Imamiyyah Ithna 'Ashari

Issue ٢٣٣: When the stillborn child is more than four months, it is obligatory to bathe it. When it was less than that, the obligatory precaution is to wrap it and bury it without a .bath

Issue ٢٣٤: It is not permitted for the man to bathe the woman and, likewise, it is not permitted for the woman to bathe the man except the two spouses. It is permitted for each of them to bathe the other, although the recommended precaution is that they not .do that when there was no compulsion

Issue ٢٣٥: When a man cannot be found to bathe a deceased man, his Mahram from among the woman may bathe him. Likewise, when a woman cannot be found to bathe a deceased woman, her Mahram from among the men may bathe her. The best is that the .bathing is done under a cloth

Issue ٢٣۶: When water is not available or the body of the deceased is such that it is not possible to bathe it or the Ghusl is impossible due to whatever other obstacle, it is obligatory to give the deceased Tayammum as a substitute for each of the three baths by the person performing the Tayammum sitting in front of the dead body, then, striking the deceased's hands on the

earth (or soil), then, wiping (the deceased's) hands on the face of the dead body then the .back of his hands

Issue ۲۳۷: It is obligatory to shroud the deceased Muslim in three pieces of cloth: one of them being the loin cloth [Mi'zar], the other the shirt [Qamees] and the third, the outer .[covering [Izaar

Issue ۲۳۸: It is obligatory for the loin cloth to cover the parts of the body from the navel to the knees. The best is that it is from the chest to the top of the feet. The obligatory precaution is that the shirt covers the parts of the body from the shoulders to the middle of the calf. It is necessary that the outer covering be long whereas it is possible to extend it over both sides (head to toe according to obligatory precaution) and that it be wide .enough so that it is possible to wrap one side over the other

Issue ۲۳۹: The obligatory amount for the Kafan and the obligatory expenditures for arrangements, like the bath, Hunoot, burial from the original inheritance and it is not dependent on bequethal. When the deceased does not have any property, (the expenses) .are given from the public treasury

Issue ۲۴۰: When the shroud becomes impure [Najis] from external sources or from the deceased himself, it is obligatory to wash it and purify it or clip and cut the soiled section of the shroud so that it does not result in it being ruined. When that is not

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.possible, then, if it is possible to change (the shroud) it is obligatory to do so

Issue ٢۴١: After completing all of the baths Tahneet of the deceased is obligatory, meaning to massage the places of his prostration (the forehead, the palms of the hands, the knees and the large toes of the feet) with Kaafoor. The precaution is that a quantity of Kaafoor is placed on these limbs and it is obligatory that the Kaafoor be pure [Taahir], .lawful [Mubaah] and fresh wherein it retains it customary fragrance

Issue ٢۴٢: The precaution is to massage the forehead of the deceased with Kaafoor first, then, massage the other limbs and that this action occurs before the shrouding [Takfeen] .or during it

(The Funeral Prayer (Salatul-Mayyit

Issue ٢۴٣: The (funeral) prayer is obligatory for every mature Muslim. The obligatory precaution (is to also perform) the prayer for the child which does not have less than six .years of age

Issue ٢۴۴: In the Funeral Prayer, Wudhu', Ghusl or Tayammum are not conditional nor purity of the body or clothing. However, the recommended precaution is to observe all of .the matters considered in other prayers

Issue ٢۴۵: It is obligatory to face towards the Qiblah in the Funeral Prayer. The obligatory precaution is that the deceased is laid on his back in front of the worshippers whereas the head of the deceased is to the right of the worshipper's and his feet are to the left of the .worshipper's

Issue ٢۴۶: When the deceased was buried without the Funeral Prayer intentionally, due

to forgetfulness or some excuse, or the prayer is known to be invalid after the burial, the prayer is obligatory upon his grave with the method which has passed.

The Method of Prayer upon the Deceased

Issue ۲۴۷: The Funeral Prayer is considered as five Takbeeraat. If the worshippers perform five Takbeeraat only in the following order, it is sufficient:

۱. After making the intention, the Takbeer is recited and (the worshipper) says:

شْهَدُ اَنْ لاَّ اِلَٰهَ اِلاَّ اللهُ و أَنَّ مُحَمّداً رَسُولُ اللها

I bear witness that there is no God besides Allah and I bear witness that Muhammad is the Messenger of Allah

۲. To say after the second Takbeer:

اللّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وآلِ مُحَمَّدٍ

Oh Allah, Bless Muhammad and the family of Muhammad

۳. To say after the third Takbeer:

اللّهُمَّ اغْفِرْ للمُؤْمِنِينَ وَ الُمؤمناتِ

Oh Allah, Forgive the believing men and the believing women

۴. To say after the fourth Takbeer (if the deceased is a male):

هذا المَيتِ اللّهُمَّ اغْفِرلِ

Oh Allah, Forgive this deceased man

(If the deceased is a female say:)

اللّهُمَّ اغْفِرلِهذِهِ المَيْتِ

Oh Allah, Forgive this deceased woman

۵. Then, say the fifth Takbeer (ending the prayer).

أَشْهَدُ أنْ لا إلهَ إلاَ اللّهُ وَحْدَهُ لا شَريكَ لَهُ وَ أشْهَدُ أنَّ مُحَمَّداً عَبْدُهُ و رَسُولُهُ، أرْسَلَهُ بِالْحَقِّ بَشيراً وَ نَذيراً بَينَ يَدَى السّاعَهِ

I bear witness that there is no God besides Allah, He is alone and He has no partner. I bear witness that Muhammad is His servant and His Messenger, sent as a bearer of good tidings and a bearer of warnings of the Hour before us

:And say after the second Takbeer

اللّهُمَّ صَلِّ عَلى مُحَمَّد

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وَ آلِ مُحَمَّد وَ بـارِكْ عَلى مُحَمَّد وَ آلِ مُحَمَّد وَ ارْحَمْ مُحَمَّداً و آلَ مُحَمَّد كَأَفْضَـلِ ما صَـلَّيْتَ وَ بارَكْتَ وَ تَرَحّمْتَ عَلى إبْراهيمَ وَ آلِ إبْراهِيم إنَّكَ حَميدٌ مَجيدٌ، وَ صَلِّ عَلى جَميعِ الأنْبياءِ وَ الْمُرْسَلينَ وَ الشُّهَداءِ وَ الصِّدّيقينَ وَ جَميعِ عِبادِ اللّهِ الصّالِحِينَ

Oh Allah, Bless Muhammad and the family of Muhammad. Bestow blessings on Muhammad and the family of Muhammad and have Mercy upon Muhammad and the family of Muhammad as the most virtuous of what You have blessed and bestowed blessings and showed mercy to Abraham and the family of Abraham, surely, You are the Praise Worthy, Majestic. Blessings upon all of the Prophets and the Messengers, the Martyrs and Truthful and all of the servants of Allah.

Then, say after the third Takbeer:

اللّهُمَّ اغْفِرْ لِلْمُؤمِنينَ وَ الْمُؤمِناتِ وَ الْمُسْـلِمينَ وَ الْمُسْـلِماتِ، الأحْياءِ مِنْهُمْ وَ الأمْواتِ، تابِعْ بَيْنَنا وَ بَيْنَهُمْ بِالْخَيْراتِ إنَّكَ مُجيبُ الدَّعَواتِ انّكَ عَلى كُلِّ شَىء قَديرٌ

Oh Allah, Forgive the believing men and the believing women; the submissive men and the submissive women; the living among them and the dead. Make good to follow between them and between us. Surely, You are the Answerer of supplications. Surely, You are capable of all things.

Then, after the fourth Takbeer, if the deceased is a male, say:

اللّهُمَّ إنَّ هذا عَبْدُكَ وَ ابْنُ عَبْدِكَ وَ ابْنُ أمَتِكَ، نَزَلَ بِكَ، وَ أَنْتَ خَيْرُ مَنْزول بِهِ، اللّهُمَّ إنّا لا نَعْلَمُ مِنْهُ إلاّ خَيْراً وَ أنْتَ أعْلَمُ بِهِ مِنّا، اللّهُمَّ إنْ كانَ مُحْسِناً فَزِدْ فى إحْسانِهِ وَ إنْ كانَ مُسيئاً فَتَجاوَزْ

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عَنْهُ وَ اغْفِرْ لَهُ، اللّهُمَّ اجْعَلْهُ عِنْدَكَ فِى أعْلى عِلِّيينَ وَ اخْلُفْ عَلى أهْلِهِ فى الغابِرينَ وَ ارْحَمْهُ بِرَحْمَتِكَ يا أرْحَمَ الرّاحِمينَ

Oh Allah, this is Your servant, son of Your male servant and Your female servant coming to You and You are the best One to come to. Oh Allah, surely we know nothing of him except good and You know better of him than we. Oh Allah, if he was good, then, increase his goodness and if he was bad, then, disregard (his bad deeds). Oh Allah, place him with You in the highest of the springs of heaven; appoint for him a successor in the post time; have mercy upon him by Your Mercy Oh the Most Merciful of those having Mercy.

:If the deceased was a female, after the fourth Takbeer you say

اللّهُمَّ إنَّ هـذِهِ أمَتُـكَ وَ ابْنَهُ عَبْـدِكَ وَ ابْنَهُ أمَتِـكَ، نَزَلَتْ بِـكَ وَ أنْتَ خيرُ مَنزول بِهِ، اللّهُمَّ إنّا لا نَعْلَمُ مِنْها إلاّ خَيْراً وَ أنْتَ أعْلَمُ بِها مِنّا، اللّهُمَّ إنْ كانَتْ مُحْسِـنَةً فَزِدْ فى إحْسانِها وَ إنْ كانَتْ مُسيئَةً فَتَجاوَزْ عَنْها وَ اغْفِرْ لَها، اللّهُمَّ اجْعَلْها عِنْـدِكِ فى أعْلى عِلّيّينَ وَ اخْلُفْ عَلى أهْلِها فى الغابِرينَ وَ ارْحَمْها بِرَحْمَتِكَ يا أرْحَمَ الرّاحِمينَ

ُ Oh Allah, this is Your servant, daughter of Your female servant coming to You and You are the best One to come to. Oh Allah, surely we know nothing of her except good and You know better of her than we. Oh Allah, if she was good, then, increase her goodness and if she

was bad, then, disregard her bad deeds). Oh Allah, place her with You in the highest of the springs of heaven; appoint for her a successor in the post time; have mercy upon her by .Your Mercy Oh the Most Merciful of those having Mercy

Issue ۲۴۸: It is recommended to perform the prayer upon the deceased in congregation, however, it is necessary for those who perform the prayer upon the deceased that they perform the Takbeeraat and supplications and recited these supplications, as has passed, .as a recommended act. It is permitted to recite it from a book when it is not memorized

Rules of Burial

Issue ۲۴۹: It is obligatory to bury the deceased person in such a manner that its odor does not disseminate and carnivorous animals are not able to reach it. If it is feared that animals will reach it, it is obligatory to construct the grave with bricks and whatever is like .bricks

Issue ۲۵۰: It is obligatory to place the deceased on his right side at the time of burial so .that he is facing in the direction of the Qiblah

Issue ۲۵۱: When a person dies in a ship, then, if it is not feared that his body will become rancid and there is nothing preventing his remaining on the ship, it is permissible to wait until reaching land and bury him on dry land. As for when the situation was not like that, then, bathe him, give him the Hunoot, shroud him and pray upon him, then, place

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him in something which animals are not able to reach him, secure its binding and cast him into the sea. When even this is not possible, tie something heavy on his leg and cast him into the sea. It is obligatory, to the extent possible, to cast him in a place where he does .not become a prey of predatory sea animals immediately

Issue ٢٥٢: It is not allowed to bury a Muslim in the cemetery of non-Muslims nor is the non-Muslim buried in the cemetery of Muslims, according to obligatory precaution. Just as it is forbidden to bury a Muslim in a place which necessitates his disrespect and .humiliation, like burying in a garbage dump

Issue ٢٥٣: It is only allowed to bury a body in the grave of another body when it is not obligatory to exhume the grave (meaning to expose the first body) and if the ground was .lawful or a public trust

.The recommended acts [Mustahabbaat] of burial are numerous

Issue ٢٥٤: Among (the recommended acts) are to place the hands on the shoulder of the :deceased person before closing the grave, shake him and say three times

اِسْمَعْ ، اِفْهَمْ يَا فُلَانَ بْنَ فُلَانٍ !

Listen, understand ! Oh so-and-so, son of so-and so

mention in the place of so-and-so, the name of the deceased and the name of his) :father). For example, say three times

اِسْمَعْ ، اِفْهَمْ مُحَمَّدُ بْنُ عَلِيٍّ

Listen, understand ! Oh Muhammad Ibn Ali

:Then, dictate (to the deceased) the true Islamic beliefs in the following manner

هَلْ أَنْتَ عَلَى

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الْعَهْدِ الَّذی فارَقْتَنا عَلَیْهِ مِنْ شَهادَهِ أنْ لا إلهَ إلاَّ اللّهُ وَحْدَهُ لا شَریکَ لَهُ، وَ أنَّ مُحَمَّداً صَلّیَ اللّهُ عَلَیْه وَ آلِهِ وَ سَلَّم عَبْدُهُ وَ رَسُولُهُ وَ سَیِّدُ النَّبِیّنَ وَ خاتَمُ الْمُرْسَلینَ، وَ أنَّ عَلیّاً أمیرُالمؤْمِنینَ وَ سَیِّدُ الوَصِیِّینَ وَ إمامٌ افْتَرَضَ اللّهُ طاعَتَهُ عَلَی العالَمِینَ، وَ أنَّ الحَسَنَ وَ الْحُسَینَ وَ عَلیِّ بنَ الحُسَیْنَ وَ مُحَمَّدَ بنَ عَلی وَ جَعْفَرَ بْنَ مُحَمَّد وَ مُوسَی بْنَ جَعْفَر وَ عَلیَّ بْنَ مُوسی وَ مُحَمَّدَ بْنَ عَلی وَ عَلیَّ بْنَ مُحَمَّد وَ الحَسَنَ بْنَ عَلی وَ القائِمَ الحُجَّهَ المَهْدی صَلَواتُ اللّهِ عَلَیْهِم أئِمَّهُ المُؤمنینَ وَ حُجَجُ اللّه عَلَی الخَلْقِ أجْمَعینَ وَ أئَمَّتُکَ أئمَّهُ هُدیً أبْرار، یا فُلان بن فُلان

(Then mention the name of the deceased here)

اذَا اَتاکَ الْمَلَکانِ الْمُقَرَّبانِ الرَّسُوْلَیْنِ مِنْ عِنْدِ اللهِ تَبارَکَ وَ تَعالی إذا أَتاکَ الْمَلَکانِ المُقَرَّبانِ رَسُولَیْنِ مِنْ عِنْدِ اللّهِ تَبارَکَ وَ تَعالی وَ سَألاکَ عَنْ رَبِّکَ وَ عَنْ نَبِیِّکَ وَ عَنْ دینِکَ وَ عَنْ کِتابِکَ وَ عَنْ قِبْلَتِکَ وَ عَنْ أَئِمَّتِکَ فَلا تَخَفْ وَ لا تَحْزَنْ وَ قُلْ فی جَوابِهِما: اَللّهُ رَبّی، وَ مُحَمَّدٌ صَلّی اللّهُ عَلَیْهِ وَ آلِهِ نَبیّی، وَ الإسْلامُ دینی، وَ القُرْآنُ کِتابی، وَ الْکَعْبَهُ قِبْلَتی، وَ أمیرُالمؤمِنینَ عَلیُ بنُ أبی طالِب إمامی، وَ الحَسَنُ بنُ عَلی المُجْتَبی إمامی، وَالحُسَیْنُ ابنُ علی الشَهیدُ بِکَرْبَلا إمامی، وَ عَلیٌ زَیْنُ العابدینَ إمامی، وَ مُحَمَّدٌ الباقرَ إمامی، وَ جَعْفَرٌ الصادِقُ إمامی، وَ مُوسَی الکاظِمُ إمامی، وَ عَلیٌ الرِضا إمامی، وَ مُحمَّدٌ الجَوادُ إمامی، وَ علیٌ الهادی إمامی، وَ الْحَسَنُ العَسْکَریُّ إمامی، و الْحُجَّهُ المُنْتَظَرُ إمامی، هؤلاء صَلَواتُ اللّهِ عَلَیْهِمْ أجْمَعینَ أئِمَّتی وَ سادَتی وَ قادَتی

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وَ شُفَعائی، بِهِمْ أتَوَلّی وَ مِنْ أعْدائِهِمْ أتَبَرَّأُ فِی الدُّنْیا وَ الآخِرَهِ، ثُمَّ اعْلَمْ یا فُلان بنُ فُلان

(Mention here the name of the deceased and the name of his father)

أَنَّ اللّهَ تَبارَکَ وَ تَعالی نِعْمَ الرَّبُّ وَ أَنَّ مُحَمَّداً صَلّی اللّهُ عَلَیْهِ وَ آلِهِ نِعْمَ الرَّسُولُ وَ أَنَّ عَلیَّ بْنَ أبی طالب وَ أولادَهُ المَعْصُومینَ الائِمّهَ الأحَدَ عَشَر نِعْمَ الأئِمَّهُ و أَنَّ ما جاءَ بِهِ مُحَمَّدٌ صَلَّی اللّهُ عَلَیهِ وَ آلِهِ حَقٌ، وَ أنَّ الْمَوْتَ حَقٌّ، وَ سُؤالَ مُنْکَر وَ نَکیر فی القَبْرِ حَقٌّ، وَ البَعْثَ حَقٌّ، وَ النُّشُورَ حَقٌّ، وَ الصِّراطَ حَقٌّ، وَ المیزانَ حَقٌّ، وَ تَطایُرَ الکُتُبِ حَقٌّ، وَ أَنَّ الجَنَّهَ حَقٌّ، وَ النّارَ حَقٌّ، وَ أنَّ السّاعَهَ آتِیَهٌ لا رَیْبَ فیها، وَ أَنَّ اللّهَ یَبْعَثُ مَنْ فی القُبُور

(:Mention here the Name of the deceased, then, say)

أَفَهِمْتَ یا فُلان

(:Mention here the Name of the deceased, then, say)

ثَبَّتَکَ اللّهُ بِالْقَوْلِ الثّابِتِ وَ هَداکَ اللّهُ إلی صِراط مُسْتَقیم، عَرَّفَ اللّهُ بَیْنَکَ وَ بَیْنَ أوْلیائِکَ فی مُسْتَقَرّ مِنْ رَحْمَتِهِ

Among the other recommended acts of burial are:) To make the grave square or) rectangular; to pour water on top of the grave; for those present to put their fingers into the grave's soil after pouring water upon it and to spread the fingers open and immerse them into the soil; recite Surah Al-Qadar seven times and (those present should) ask :forgiveness for the deceased and recite this Dua' after that

اللّهُمَّ جافِ الأرْضَ عَنْ جَنْبَیْهِ و أصْعِدْ بِرُوحِهِ إلَیْکَ وَ لَقِّهِ مِنْکَ بُرْهاناً، اللّهُمَّ عَفْوَکَ عَفْوَکَ

All of that is with the intention of)

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(Rijaa', i.e. to hope for its reward

Issue ۲۵۵: To console the relatives of the deceased is recommended [Mustahabb], however, when a period of time has passed and the calamity has been forgotten, and that consolation was a cause of remembering that calamity, then, the best thing is to leave (the deed of consoling the bereaved). Likewise, it is recommended to send food to .the bereaved family of the deceased for three days

Issue ۲۵۶: It is not allowed for people in the calamity (of mourning) someone to scratch his face and body or to strike himself. Likewise, it is not allowed to tear open his bosom, .except in the death of the father and the brother

Issue ۲۵۷: It is recommended to pray with the hope of reward to pray two Raka'ah in the first night of the burial of the deceased, (the two Raka'ah prayer) is called Salaatul-:Wahshah and its method is

To recite Ayaatul-Kursi (Chapter ۲:۲۵۵) once after Surah Al-Hamd (Chapter ۱). In the second Raka'ah, recite Surah Al-Qadr (Chapter) ten times after Surah Al-Hamd. After the :prayer, say

اللهم صل علی محمد وال محمد

وابعث ثوابها إلی قبر فلانٍ

Allah, Bless Muhammad and the family of Muhammad

and send (the prayer's) reward to the grave of so and so

(In this place mention the name of the deceased)

Rules of Exhuming A Grave

Issue ۲۵۸: Exhuming the grave of a Muslim is forbidden, although it (be the grave) of a child or an insane person. The intent (of the term) exhuming is to open the grave so as to expose the

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deceased. As for when the body of the deceased is not exposed, there is no objection .except that it be violating the respect of the decease and an insult for him

Issue ٢٥٩: There is no objection in exhuming the grave when it is certain that the body of the deceased had disintegrated and finally become dust, except the graves of the Auliyaa' Allah, the Martyrs, the Scholars ['Ulamaa'] and the Righteous [Sulahaa']. Then, it is not allowed to exhume (the graves) like that even though many years have passed

Issue ٢۶٠: If the deceased had willed that his grave be exhumed after his burial and transferred to one of the blessed burial places or to another area, acting in accordance .with this bequest has legal objection

Issue ٢۶١: It is not allowed to delay the burial of the deceased when that involves .disrespect or insult for him

Issue ٢۶٢: Washing the deceased Muslim and performing his Kafan, as we had mentioned, :is obligatory. However, two groups are excluded from this ruling

First are the martyrs in the path of Allah. They are those who were killed in the path of Islam in the arenas of Jihad with the Prophet, peace be upon him, and the infallible Imam or his special representative. Likewise, are those killed in era of the occultation (of the ١٢th Imam) of the time, may our souls be sacrificed for him, in order to defend against the enemies of Islam, be it men or women, adult or child. In this state

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and situation, it is not obligatory to bathe, give shroud or Hunoot. Rather, it is obligatory to .bury them in their clothing, after prayer upon them

Issue ٢۶٣: In the present day wars which expands the sphere of the arenas of battle and perhaps is comprised of kilometers and Faraasikh and (arenas) which the bombs of the enemy are long range and can strafe remote distances and a great area. All of this .distance in which the army has a stronghold is counted as the arena of battle and war

However, when individuals are killed by the bombing of the enemy remote from the battle .front, in their right, the rulings mentioned in the previous issues does not apply

Issue ٢۶۴: Second are those who it is obligatory to kill them in retaliation or as a legal punishment, then the Legal Jurist [Al-Haakim Ash-Shar'i] orders that they should bathe themselves the bath of the deceased in the state of living and perform the three baths according to the method whose mention as passed. Then, they should put on two pieces of the three pieces of the Kafan. Meaning, the Mi'zar [Loin cloth] and the Qamees [Shirt]. The third piece remains until after death. The Tahneet is like the Tahneet of the dead. After death, they are prayed upon and buried in this state. It is not necessary to wash the blood from their bodies and Kafan, rather, even if urine or stool emerges from them due ,to the effect of fear and gloom

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.it Is not obligatory to repeat the Ghusl

:Issue ٢۶۵: The recommended baths in Islamic Law are numerous, among them are

The Ghusl of Friday which is counted among the most important recommended baths .١ and it is emphasized. The best manner is not to abandon it to the extent possible. Its time is from the Azaan of Fajr prayer on Friday until the prayer of Zuhr on Friday. When it had not been performed by Zuhr, the precaution to perform it without intention of Adaa' or Qadhaa', rather, with the intention of (discharging) the duty up until the time of 'Asr prayer of Friday. When it had not been performed on Friday, then, it is recommended to make its Qadhaa' from the morning of Saturday until sunset. He who fears that he will not have water on Friday, it is permissible to bathe Thursday with the intention of preceding .((the Ghusl ahead of its time

Ghusl of the nights of Ramadhaan. It is considered to be the Ghusl of the first night and .٢ all of the odd nights of the month of Ramadhaan (like the night of the ٣rd and fifth, etc.). From the night of the twenty third it is recommended to bathe each night until the last night of the month of Ramadhaan. The time of these baths are the whole night, although it is better to perform the Ghusl at the sunset. However, the Ghusl of the night of the ,twenty first until the end of the month

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it is recommended to be performed between Salatul-Maghrib and Salatul-'Ishaa'. The precaution is to perform all of the baths of the month of Ramadhaan and the baths whose .'mention is following, with the intention of Rijaa

Ghusl of the day of Fitr and Eidul-Adhha. Its time is from the Azaan of morning prayer of .٣ .the day of Eid until Maghrib. It is best that it is performed before Salatul-Eid

Ghusl of the night of Eidul-Fitr. Its time is from the beginning of Maghrib until the Azaan .۴ .of morning prayer

Ghusl of the eighth and ninth of the month of Zul-Hijjah. (These days) are called .۵ .Yaumut-Tarwiyah and Yaumul-'Arafah

Ghusl of the first day and half (١۵th) of Rajab and the twenty seventh, the day of .۶ .Mab'ath of the Holy Prophet, peace be upon him and his family, and the end of Rajab

.Ghusl of the eighteenth of (of Zul-Hijjah), the day Eidul-Ghadeer .٧

Ghusl of the fifteenth day of Sha'baan (the day of the birth of the twelfth Imam, Al- .٨ Mahdi, the Imam of the time, may Allah hasten his reappearance); and the seventeenth of Rabi'ul-Awwal (the day of the birth of the Messenger of Allah, peace be upon him and .(his family) and the Ghusl of the Eid of Nairooz (the Persian new year

.The infant who is born due to its birth .٩

The Ghusl of a woman who perfumed herself for someone other than her husband .١٠ .and the Ghusl of someone who slept drunken

Ghusl of someone who went to see .١١

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the Hanged Person (Masloob) and saw him but if he saw him accidentally or if he went for .an important matter like a witness, then there is no Ghusl on his account

The Ghusl of Taubah, meaning whenever a sin is committed, then, repentance is made .١٢ .and the bath (of repentance) is performed

Issue ٢۶۶: If a person has a duty to perform a number of recommended baths or a number of baths, some of them recommended and some the others are obligatory or a number of obligatory baths, it is permitted that he perform one Ghusl with the intention of .all

The Rules of Tayammum

The Instances of Tayammum

Issue ٢۶٧: Tayammum as a substitute for Wudhu' or Ghusl is obligatory in seven :instances

• :The First Instance of Tayammum

.When water is not possible to be obtained in the quantity of Wudhu' or Ghusl

Issue ٢۶٨: When a person is in the city and water is not there, it is obligatory to upon him to search until he becomes hopeless in obtaining water. Regarding when he is in the open areas, then, if it is mountainous terrain or unleveled land or crossing the land is difficult due to the existence of numerous trees things like that, it is obligatory that he go in each of the four directions in the amount of the travel distance of an arrow in search of water. If he is level terrain having no barriers in it, then, he goes only in each direction the .amount of distance in which two arrows travel

• The Second Instance

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:of Tayammum

Issue ۲۶۹: When water is in a well and it is not possible to reach the water either due to lack of ability or lack of the necessary means, It is obligatory to perform Tayammum. .Likewise it is when it necessitates excessive difficulty which people normally cannot bear

:The Third Instance of Tayammum•

Issue ۲۷۰: When water is present, however, one fears that when performing Wudhu' he will become ill or it will lengthen his illness or intensify it or it will make his treatment of his illness more difficult, Tayammum is obligatory in all of these situations. However, when hot water does not harm him, for example, it is obligatory to heat the water and make Wudhu' or Ghusl. It is not obligatory that one have certainty (about the harm of water), rather, fear of harm is sufficient due in order to omit Wudhu' and change his duty to .Tayammum

Issue ۲۷۱: The person afflicted with inflammation in his eyes whom using water will harm him, when it is possible to wash the extremities of the eye, it is obligatory for him to .perform Wudhu', otherwise, he performs Tayammum

:The Fourth Instance of Tayammum•

When there is a sufficient quantity of water present but using it for Wudhu' or Ghusl one fears his own destruction due to thirst or his children's or his family or his friend's. Or that they will become sick or put in unusual difficulties, it is obligatory that they perform Tayammum and preserve the water. It is

likewise, when a non-Muslim is in danger, if the water is used in Wudhu' or Ghusl. It is obligatory to give the water to him and perform Tayammum. Likewise, this ruling is .applicable to the rights of animals

Issue ٢٧۶: Tayammum is permitted upon a number of things: soil, sand, stones, clay, .rocks-with the condition that they be pure [Taahir], and upon something of dust

Issue ٢٧٧: Tayammum is permitted upon limestone, gypsum, marble and onyx and whatever is similar to that. However, Tayammum upon precious stones, like 'Aqeeq (Carnelian) and Turquoise is invalid. The obligatory precaution is not make Tayammum on .baked gypsum and limestone and, likewise, on bricks and pottery

Issue ٢٧٨: When something mentioned in the previous issue cannot be obtained, it is obligatory to make Tayammum on dust found on clothes and carpets and whatever like that. When dust does not exist, Tayammum is obligatory upon clay and when clay also does not exist, then, the precaution is to pray without Tayammum, then, perform its re-make (Qadhaa') afterward. Someone like this person is called one failing to find the two .(types of) purifiers

Issue ٢٧٩: It is permitted for someone captive in a usurped place, to make Tayammum on .the soil or stones of that place and pray

Issue ٢٨٠: The best manner is to avoid Tayammum on soiled and low lying lands; watering holes of wild animals and salty lands when the salt does not cover it. As for when the salt covers it, then, the Tayammum with it is

invalid. When land is soiled such that one fears he will be afflicted with an illness by reason of Tayammum with, then, the obligatory precaution is to pray without .Tayammum, then, re-make it

The Method of Tayammum and its Rules

Issue ٢٨١: At the time of making Tayammum, intention is obligatory first, then, strike the hands on something which the Tayammum is proper with. Then, wipe all of the forehead and its two sides from the hairline to the eyebrows and the upper part of the nose with the two hands together, according to obligatory precaution. The obligatory precaution is to wipe the eyebrows also. Then, wipe the in palm of the left hand on the back of the right .hand, then, the palm of the right hand on the back of the left hand

Issue ٢٨٢: There is no difference between the Tayammum substituted for Wudhu' and the Tayammum substituted for Ghusl. However, the recommended precaution is to strike the ground with the hands once more in the Tayammum substituted for Ghusl and wipe the palm of the left hand on the back of the right hand and the palm of the right hand on the back of the left hand

Issue ٢٨٣: When there are injuries on the forehead or on the back of the hands and some scum or something else is hardened on it and it is not possible to remove it or lift it or .there is some harm in that, Tayammum is obligatory in that situation

Issue ٢٨٤: It is permissible for he whom it

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is not possible to perform Wudhu' and Ghusl to perform the recommended prayers with Tayammum. Rather, if the time was restricted for something like the Night Prayer .(Salatul-Lail), for example, it is permissible to make Tayammum for it

Issue ٢٨٥: He whose duty is to make Tayammum, when he makes Tayammum for a obligatory act or recommended act, it is permissible for him to perform all of the action which Wudhu' and Ghusl are conditional for it as long as that Tayammum and his excuse remains. Even if the Tayammum was due to restriction of time, it is permissible for him to .touch the writing of the Noble Qur'an and whatever is similar to that

The Rules of Prayer

The Importance of Prayer

Prayer is the connection of man with Allah and brings about purity of the soul, cleanliness of the heart, achieves the spirit of piety, trains man and makes him wary of sin and .disobedience

From the narrations it is determined that prayer is the most important of worship. If prayers are acceptable to Allah, He will accept the other types of worship besides prayer. When the prayer is rejected, worship other than prayer will also be rejected. The narration specify that he who prays the five (daily) prayers is purified from sin just as if one bathes in a river every day and night five times. Uncleanness is removed and no .impurity remains

That is why a great deal of emphasis has been mentioned in the verses of the Holy Qur'an, the Islamic traditions, the advises of

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the Holy Prophet, the Blessings of Allah be upon him and his family and the A'immah of guidance, peace be upon them. It is like one of the most important obligations and duty of a Muslim and due to this, it is considered that abandoning prayer is one of the greatest of .major sins

One should perform prayer in the beginning of its time and give importance to (promptness) and to avoid hastiness and rushing in prayer and to avoid whatever brings .about the ruin and corruption of prayer

It has been narrated in a tradition that the Holy Prophet, the Blessings of Allah be upon him and his family, saw a man one day in his Mosque praying without completing his Bowing and his prostration. Then, the Prophet, the Blessings of Allah be upon him and his !family, said: He had died with this prayer, he would never have died with my religion

Presence of the heart is the spirit of prayer and it is necessary that the worshipper avoid all matters from his affairs that break the attention (in prayer) and occupy the senses. (One should) understand the meaning of the words of prayer and that attention is paid (to these words) in the state of prayer. (One should) to stand in prayer with humility and fear of Allah and know to Whom one is speaking with and to consider oneself as a very .insignificant servant before the Lord with the sight of the Almighty and Glorious

It has been narrated regarding

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the situations of the Infallibles (Ma'soomeen), peace be upon them, that they were so engrossed in the remembrance of Allah in the state of prayer until they became unmindful of themselves whereas Ameerul-Mu'mineen (Imam Ali), peace be upon him, was struck in the leg with an arrow, then, they pulled it from his leg in the state of prayer and he did not feel it, peace be upon him. That is due to his total immersion in .remembrance and prayer

There are conditions necessary to bear in mind for the acceptance of prayer and its :perfection and virtue, in addition to the obligatory conditions

One is that man seek repentance from his sins and ask Allah's forgiveness before prayer. Another, is to avoid all of the types of disobedience and sins which prevent the acceptance of prayer, like jealousy, arrogance, backbiting, not paying Khums or Zakah, .rather, every kind of disobedience and sin

Just as it is necessary to leave the actions which diminish the importance of prayer and damage the presence of the heart, the prayer is not to be performed in the state of laziness, retaining urine, nor in a tumultuous environment. The worshipper should not stand before scenery which may ruin his (spiritual) view. (It is important) to establish the actions which increase the reward of prayer. Therefore, dress in clean clothing, comb the .hair, brush the teeth, perfume oneself and wear a ring of 'Aqeeq

The Obligatory Prayers

:Issue ٢٨٧: The obligatory prayers are six

- .The daily prayers
- The prayer of Tawaaf at

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.the Holy Ka'abah

- .The sign prayer
- .The funeral prayer
- The lapsed prayers of the father and mother whose performance is obligatory upon the eldest son, as will be explained.
- The voluntary prayers which have become obligatory by means of a vow, covenant and oath.

The Obligatory Daily Prayers

:Issue ٢٨٨: The obligatory daily prayers are five (٥), they are

- .The Noon Prayer (Salatuz-Zuhr) ۴ Raka'ah
- .The Afternoon Prayer (Salatul-'Asr) ۴ Raka'ah
- .The Evening Prayer (Salatul-Maghrib) ٣ Raka'ah
- .The Night Prayer (Salatul-'Ishaa') ۴ Raka'ah
- .The Morning Prayer (Salatul-Fajr) ٢ Raka'ah

The total is seventeen Raka'ah, this amount for the one present (in his home). Regarding the amount in travel, the four Raka'ah prayers are prayed as two Raka'ah prayers with the conditions which will be mentioned later, with Allah's permission.

Issue ٢٨٩: The Friday Prayer is two Raka'ah. It is substituted for the Noon Prayer on Friday. It was obligatory upon every individual (Waajib 'Ayni) in the presence of the Prophet, the Blessings of Allah be upon him and his family (and obligatory in the times) of the Infallible Imam, peace be upon him, and his specific representative.

As for the time of the concealment of the Imam (Ghaibatul-Kubra), then it is an elective obligation, meaning, that people can choose between the Friday Prayer and the Noon Prayer. However, the precaution is not to abandon its performance in the time of a just Islamic government.

Timings of The Five Daily Prayers

The time of the Noon Prayer and the Late Afternoon Prayer

Issue ٢٩٠: The time of the Noon prayer and the Afternoon is from the legal beginning of Zuhr. The legal beginning of Zuhr is the

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decline of the sun from its apex in the sky toward to the place of setting until the time of the setting of the sun. The best manner of ascertaining the entrance of the time of Zuhr is to use a stick or a piece of metal planted firmly in the ground. When the sun shines in the morning, this stick will caste a shadow on the earth toward the west. As the sun rises toward the center of the sky, the shadow will decline. At the time when the shadow .reaches the final stage of decline, it is the time of Zuhr

At the time when (the shadow) begins to increase toward the east, it is the beginning of the time of the Noon Prayer and the Afternoon Prayer in the likes of Makkah Mukarramah and cities similar to it, where the shadow dwindles in some days, the time of Zuhr is at the end (of Zawaal). The sun shines upon the earth from overhead as in this region, when the shadows increases and spreads toward the east, it is the time of the Noon Prayer and the .Afternoon Prayer

The Time of The Evening Prayer and the Night Prayer

Issue ٢٩١: Maghrib (post sunset) is achieved with the concealment of the disk of the sun behind the horizon. The precaution is to wait until the redness of the eastern horizon disappears which appears after sunset above the head proceeds toward the west. This time is appointed for the Evening and Night Prayers and this time continues until half of the

.night has expired

Issue ٢٩٢: The end time of the Night prayer is at half of the night (According to obligatory precaution, half the night is calculated from the beginning of sunset until the Azaan of Morning Prayer and half the night is half of this period). Regarding the Night Prayers (Salatul-Lail), its is calculated from the beginning of sunset until the beginning of sunrise in .the morning

Issue ٢٩٣: When the Evening and Night Prayers had intentionally not been performed until half of the night had elapsed, it is obligatory to perform the Qadhaa' of each prayer. As for when it was not performed due an excuse, pray both before the arrival of Morning Prayer .('as a current prayer (Adaa

The Time of The Morning Prayer

Issue ٢٩٤: The time of the Morning Prayer is from the beginning of the True Fajr until the rising of the sun. The True Fajr is a white (light) of the morning which appears in the horizon (spreading out laterally). The best manner is to perform the Morning Prayer in the darkness of Fajr before the appearance of light in the entire sky.Rules of The Times of Prayer

Issue ٢٩٥: It is not allowed for people to pray unless they have gained certainty of the entrance of the time of prayer, either themselves or are informed of the entrance of the time of prayer, if it be one just man, at the minimum. The Azaan of a person knowledgeable of the timings of prayer and is reliable also suffices. If a person gets

a strong belief in the entrance of the time by another means, that suffices also, it being .the same if it was according to a correct watch or something else

Issue ٢٩۶: He who has only time remaining for one Raka'ah of prayer, it is obligatory that he perform the prayer with the intention of Adaa’, however, it is forbidden to delay the prayer to this extent. Based upon this, when the amount of time that remains before Maghrib is only enough for five Raka'ah, pray Zuhr and 'Asr with the intention of Adaa’. .Likewise is the case regarding the remaining prayers

Issue ٢٩٧: The person having an excuse (Ma'zoor) who knows with certainty that his excuse will be removed toward the end of the time of prayer, it is obligatory that he wait (until the end of the time of prayer). If he is certain of his excuse remaining, it is not obligatory upon him to wait. Regarding when there is a probability of removing his excuse, the obligatory precaution is to wait except in instances of Tayammum. In this .case, it is permissible to pray in the beginning of the time

Issue ٢٩٨: It is Mustahabb that the Obligatory Prayers (Al-Faraa’idh) of the five daily prayers be performed in five time periods, meaning that each prayer is performed in the optimal time (Fadheelah). The amount of time it takes to perform the voluntary prayers or the recommended acts following prayer (Ta'qeebaat) does not suffice as a separation ,between the prayers, rather

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.the standard is the optimal time only

Issue ۲۹۹: Performance of the prayers Zuhr and 'Asr in sequence is obligatory, meaning that Zuhr is prayed first, then, 'Asr. Likewise, it is obligatory to observe the sequence in Maghrib and 'Ishaa’. Then, when 'Asr is intentionally prayed before Zuhr or 'Ishaa’ before .Maghrib, the prayer is invalid

Issue ۳۰۰: When the prayer was begun with the intention of the prayer of Zuhr and during the prayer it is remembered that Zuhr had already been prayed before that, it is not allowed to change the intention to the prayer of 'Asr and the prayer is invalid. Similarly, is .‘the relationship to Maghrib and 'Ishaa

Issue ۳۰۱: The recommended prayers are numerous and called An-Nawaafil. Among them .are the daily Nawaafil which are highly emphasized

:Issue ۳۰۱: The daily Nawaafil, in sequence, are

- .The Naafilah of Zuhr/۸ Raka'ah
- .The Naafilah of 'Asr/۸ Raka'ah
- .The Naafilah of Maghrib/۴ Raka'ah
- .The Naafilah of 'Ishaa’/۲ Raka'ah performed sitting
- .The Naafilah of the Night Prayer (Salatul-Lail or Tahajjud)/۱۱ Raka'ah
- .The Naafilah of Fajr/۲ Raka'ah

Whereas the two Raka'ah of the Naafilah of 'Ishaa’ are counted as one Raka'ah, the total of the Nawaafil are thirty four (۳۴) Raka'ah. However, on Friday the number will become thirty eight (۳۸) because four Raka'ah are added to the Nawaafil of Zuhr and 'Asr (all of the .(Nawaafil being performed two by two Raka'ah

Issue ۳۰۳: The eight Raka'ah of the Night Prayer are performed with the intention of the Naafilah of the Night Prayer. Two Raka'ah

are performed with the intention of the Naafilah of Shaf' and one Raka'ah with the .intention of the Naafilah of Witr

Issue ٣٠٤: The Naafilah of the Night Prayer are among the most important Nawaafil, its emphasis is extensive in Islamic traditions and the Glorious Qur'an. There is a deep affect of this Naafilah in purifying the soul, cleansing the heart, training the human spirit and unraveling difficulties related to material and spiritualism. The well known books of supplications mention particular etiquette, particularly, for the supplication (Qunoot) of .the Witr prayer

To observe this etiquette is an important matter and something good. However, it is possible to perform the Night Prayer aside from this etiquette, in other words, like other prayers. He whom it is not possible to stay awake to the end of the night, it is permissible .for him to pray this Naafilah (in other words the Night Prayer) before sleeping

The Timing of The Daily Nawaafil

Issue ٣٠٥: The time of the Naafilah of Zuhr is before the prayer of Zuhr, from the beginning of Zuhr until the length of the shadow of a stick (used to measure time) that emerges after the time of Zuhr is more than two sevenths (٢/٧) of the length of the stick (Shaakhis). For example, when the length of the stick is seven hand-spans, then, the length of the shadow that emerges after Zuhr becomes more than two hand spans, the .time of Naafilah of Zuhr ends

Issue ٣٠۶: The time of the Naafilah of 'Asr, which are performed before the

prayer of 'Asr extends until the length of the shadow of the stick becomes four sevenths .the length of the stick in the manner that has mentioned in the preceding issue

Issue ۳۰۷: The time of the Naafilah o f Maghrib is after Maghrib until the redness of the .western horizon that has appeared after sunset disappears

Issue ۳۰۸: The time of the Naafilah of 'Ishaa' is after the completion of the prayer of 'Ishaa' up until half the night. It is better that it performed after the prayer of 'Ishaa' .without delay

Issue ۳۰۹: The time of the Naafilah of morning is before the prayer of morning from the beginning of Fajr until the appearance of redness in the eastern horizons. It is possible for .(it to be performed directly after the Night Prayer (Salatul-Lail

Issue ۳۱۰: The time of the Naafilah of the night (according to precaution) is from half the night until the Azaan of the morning prayer. However, it is better to be performed in the .early morning, meaning in the last third of the night

.Issue ۳۱۱: It is obligatory to perform all of the prayers facing toward the Qiblah

Issue ۳۱۲: The venerable Ka'abah in Makkah is the Qiblah of all Muslims and it is obligatory upon every Muslim everywhere to face the Qiblah at the time of prayer. Regarding one who lives in a remote country, then, if one stands in a manner that it is said that he is praying facing the Qiblah, it is sufficient. Due to

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this, if the long rows in the congregational prayer whose length extends beyond the length of the venerable Ka'abah, it is considered facing the Qiblah.

Issue ۳۱۳: It is obligatory for he whom it is not possible to pray standing to pray sitting facing the Qiblah. He who cannot pray sitting prays laying on his right side in such a manner that the front part of the body is facing toward the Qiblah. When it is not possible to lay on the right side, lay on the left side so that the front part of the body faces toward the Qiblah. When that also is not possible, pray lying on the back so that the soles of the feet face toward the Qiblah.

Issue ۳۱۴: Performing a recommended (Mustahabb) prayer while walking and riding is permissible. It is not obligatory to face the Qiblah in this situation.

Issue ۳۱۵: There are numerous methods of knowing and calculating the Qiblah. People are obligated themselves first to make an effort and endeavor to attain certainty of (direction of the Qiblah). Likewise, it is possible to act according to the statement of two just witnesses or one reliable witness who affirms the Qiblah by means of perceptible signs. Or it is possible to act on the statement of one who is knowledgeable of the Qiblah by means of scientific principles that are reliable. When all of that is not possible, it is obligatory to act according to an opinion (Zann) which can be obtained from the

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.niche (Mihraab) of Muslim's mosques or their graves or by other means

Issue ۳۱۶: The compasses which are used commonly in determining the Qiblah, if they are sound, they are considered a useful means determining the Qiblah. The opinion that is based on the compass is no less than that (opinion) obtained by other means, even, it is .usually more precise

Issue ۳۱۷: It is possible to depend on the information of the owner of a house or a hotel .manager or those persons similar to that as long as they are not careless

Issue ۳۱۸: When there is no way of obtaining and determining the direction of the Qiblah and the Qiblah is restricted to four directions, it suffices to pray in one direction although the recommended precaution is to pray in four directions. If it is probable that the Qiblah .is within three directions or two, only pray in those directions

Issue ۳۱۹: It is obligatory that the slaughtering of animals face towards the Qiblah. When it is not possible to determine the Qiblah, act upon opinion (Zann). When it is not possible to obtain an opinion and it is imperative to slaughter the animal, it is proper to face in any direction. In relation to the burial of a Muslim in which is obligatory to face toward the .Qiblah, this method may also be acted upon

Covering the Body in Prayer

Issue ۳۲۰: It is obligatory upon a man to cover his private parts ('Awraat) in the state of prayer although there may be no one there

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to see him. It is best to cover from the navel to the knees and that which customarily one wears before respected people.

Issue ٣٢١: It is obligatory upon a woman to cover her entire body in the state of prayer even her head and her hair. It is not, however, obligatory to cover the front portion of the face and the hands up to the wrist and the feet up to the arch on top of the foot. However, to be certain that the proper amount is covered, the obligatory precaution is to cover something from the sides of the face and something above the wrist.

Issue ٣٢٢: It is obligatory for women to cover artificial hair and intimate jewelry (like ear rings and necklaces) also.

Issue ٣٢٣: A number of matters are conditional regarding the clothing of a worshipper:

- That the clothes are pure (Taahir).
- That they are not usurped (Ghasbi), according to obligatory precaution.
- That they do not contain any parts of a dead animal (unislamicly slaughtered).
- That it not be composed of an animal of forbidden flesh.
- That it not be pure silk or pure gold when the worshipper is a man.
- An explanation and details of these matters are forthcoming in the following issues:

Issue ٣٢٤: When impure (Najis) clothing was prayed in intentionally, the prayer is invalid even when that was due to not having learned the issue (related to purity of clothing in prayer).

Issue ٣٢٥: When someone does not have knowledge of the impurity of his body

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or clothing and comes to know of it after the prayer, his prayer is correct. As for when he had knowledge of that before, then, forgot it and prayed in that state, it is obligatory to repeat his prayer regardless of whether he remembered during the prayer or after it. If .he remembers after the time (of the prayer) he will make the Qadhaa' of the prayer

Issue ٣٢۶: When it is known after finishing the prayer that the clothing or body was impure, the prayer is proper whether this knowledge is obtained during the time of the .prayer or after the time

Issue ٣٢٧: It is obligatory that the clothing of the worshipper be lawful (according) to obligatory precaution. If one intentionally prays in usurped clothing, even that which has usurped thread or buttons, it is obligatory to repeat it. As for when it was not known to be usurped and it was prayed in and even when it had been known previously to be usurped, then, it was forgotten, but only by the usurper himself, meaning that he had usurped the clothing, then, forgot that he usurped it and, then, prayed in it. According to obligatory .precaution, the prayer is repeated in this situation

Issue ٣٢٨: When clothing is purchased with money (from which) Khums or Zakah has not been withdrawn and prayer is performed in that clothing, there is an objection (Ishkaal). Similarly, when clothing is purchased on credit, however, it was intended at the time of concluding the agreement

to pay the cost of the clothing from that which was remaining from money (from which) Khums and Zakah have not been withdrawn or the price had never been paid, in the .prayer in (this clothing) there is an objection

Issue ٣٢٩: It is obligatory that the clothing of the worshipper not be composed of parts of an animal's corpse (unislamically slaughtered) that has flowing blood. Even, the obligatory precaution is to avoid the parts of the animal's corpse that does not have flowing blood, .like the fish and snake

Issue ٣٣٠: Prayer is permitted in the leather clothing that is acquired from Muslim stores although there may be doubt whether the animal was slaughtered according legal methods or not. As for when it is certain that the leather is imported from non Muslim countries and that its purchaser are heedless people that have not investigated into the affair of that leather, prayer is not permitted in it. When it is not known whether the .leather is from an Islamic country or non Islamic country, there is no objection in it

Issue ٣٣١: It is obligatory that the clothing of the worshipper not be composed of the animal of forbidden flesh, rather, even when there is one hair on the worshipper in .prayer, there is an objection also

Issue ٣٣٢: When there is doubt in whether this clothing is taken from wool, fur or hair of an animal of lawful flesh or unlawful flesh, it is proper to pray in it whether it is

.manufactured in an Islamic country or non Islamic country

Issue ۳۳۳: Prayer in clothing embroidered with gold is not permitted for a man and the prayer in (such clothing) is invalid. However, there is no objection in that for women when it is not extravagant. Clothing like this is forbidden for men in situations other than prayer .also

Issue ۳۳۴: It is forbidden for men to wear jewelry manufactured from gold, like a ring made of gold or a gold wristwatch and similar things. Prayer with these are invalid. The obligatory precaution is to avoid the usage of eyeglasses in which are gold also. However, .using all of these are permitted for women in prayer and instances other than prayer

Issue ۳۳۵: When the frontal teeth are artificial teeth composed of gold, having the description of decorative (teeth), there is an objection with regards to men, whether in .prayer or other than prayer, except that it was put in out of necessity

Issue ۳۳۶: It is forbidden for man to wear the clothing made of silk, even a fez, skull cap and the thread of pants. The prayer in these is invalid. Even the insides of clothing as such, it is obligatory that it not be of pure silk. Regarding women, (silk) is permitted .whether it be in prayer or other than prayer

Issue ۳۳۷: Wearing clothing necessitates violating the respect of people and harms their .prestige or is a source of corruption, there is an objection in it

Issue ۳۳۸: The precaution is that men

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do not dress in the clothing particular for women and that women not dress in the clothing .particular for men, however, the prayer in them is valid

Issue ۳۳۹: Prayer with an impure body or in impure clothing is valid in the following five :instances

- .When the body or clothing is soiled with the blood of a wound or abscess
- When the blood that is on the clothing is less than a Dirham (it is that which does not .exceed the joint of the index finger
- .When one is compelled to pray with the body or in the clothing that is impure
- When it was a small accessory like socks or a skull cap of which it is not possible to cover .the private parts
- .The clothing of a woman nursing a child

The Place of Worship

point

:Issue ۳۴۰: The following matters are conditional in the place of worship

First is that the place of worship be lawful (Mubaah) according to obligatory precaution. Based on this, if someone prays on usurped land or a usurped carpet or usurped bed, the prayer has an objection. Likewise, when someone prayed in a place whose benefit is to return to another (as if that property is rented to someone), then, if prayer is performed in it without the permission of the renter, there is an objection. Likewise, in a place that is connected to the right of another as when a deceased person has bequeathed that a third of his property for a matter. Then, as long as the third

is not extracted, it is not permissible to pray in that place which is the property of the .deceased

Issue ۳۴۱: He who goes first to sit in a place in a Mosque and another person usurps his seat and prays in that place, it is obligatory to repeat the prayer according to obligatory .precaution

Issue ۳۴۲: When a property is purchased with money (from which) Khums or Zakah (has not been paid), it is forbidden to spend (this money) on that property and prayer in (this place) is objectionable also. Likewise, when a property is purchased by a sum charged (to one's credit), however, it is intended at the time of purchase to pay the cost with property (from which) Khums or Zakah (has not been paid), or (the intention) was not to pay the .(cost, then, according to obligatory precaution, prayer should be avoided (in that place

Issue ۳۴۳: Prayer, sitting and sleeping and various miscellaneous uses are permitted in large agricultural and non-agricultural lands that have no fences and walls and there is no agriculture in them in reality. It being the same whether the land is near a city or village or remote from it, the same whether its owner is immature or an adult. However, when the property's owner has expressly denied permission or we are aware of the lack of his approval beforehand, it is forbidden to use the land and prayer on this land is .objectionable

Issue ۳۴۴: The Second condition is the place of prayer must

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be stable, meaning that when the place of prayer is moving in such a way that it is not possible to perform the actions of prayer as usual, the prayer is invalid. There is no objection in the prayer on a ship or a train and similar things to that when the actions of prayer are performed in a proper manner facing the Qiblah.

When compelled to pray in a ship or car or things similar to that due to restricted time or another compelling reason and the direction of the Qiblah is constantly changing, it is obligatory to face toward the Qiblah to the furthest extent possible. Nothing should be recited in the state of returning toward the Qiblah.

Issue ۳۴۵: The third condition is to pray in a place wherein it is possible to perform the obligatory acts of prayer. Based on this, it is not proper to pray in the place which has a low ceiling such that it is not possible to stand in that place. Or there is not room to bow or prostrate.

Issue ۳۴۶: It is necessary that people observe proper etiquette with the Holy Prophet, the Blessings of Allah upon him and his family, and the Imam, peace be upon him. Therefore, people should not face their graves in prayer. If deeming the (this type of) prayer as meritorious brings dishonor and insult, it is forbidden. It is valid in other than this situation.

Issue ۳۴۷: The fourth condition is that it is obligatory that the

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standing place of women be a little behind the standing place of men and that their place of prostration is behind the place of prostration of men, according to precaution. Otherwise, the prayer is invalid. In this issue there is no difference between the Mahram and the non-Mahram. However, there is no objection if there is a wall or a curtain or something similar to that or a space in the amount of ten arm-lengths (Azra') or .approximately five meters

Issue ۳۴۸: The fifth condition is that it is obligatory that the place of prostration not be higher than the place of standing so that it is taken out of the form of prostration. The obligatory precaution is that the place of prostration not be higher nor lower than (the .place of standing by more than) four joined fingers

Issue ۳۴۹: Unrelated men and women (Ajnabiyain) being in a place where it is not possible for another to enter is objectionable. The obligatory precaution is to abandon (praying there), also the prayer there is objectionable. Likewise, prayer in a place of entertainment, like a place where alcohol is consumed or gambling occurs there or a .(place where back-biting is (taking place

Issue ۳۵۰: Making the Mosque impure is forbidden whether it be the ground of the Mosque, its roof, terrace, or the inside of the wall. The obligatory precaution is that the outer side of the wall of the Mosque not be made impure also except when the donor (Waaqif) did not make

.it a part of the Mosque

Issue ٣٥١: When the Mosque becomes impure, it is obligatory upon all, in a manner of Kifaayah, to remove the impurity from the Mosque and purify it (meaning that when an individual or a number of individuals come forward to purify it, the obligation is dropped from the others. Otherwise, all are blamed and have sinned. There is no difference in this .ruling between he who has made the Mosque impure and others

Issue ٣٥٢: It is also forbidden to make the carpets of a Mosque impure. If made impure, it is obligatory to purify it even if that necessitates damage. Whoever made it impure is .liable for that (damage), according to precaution

Issue ٣٥٣: There is no objection to erecting a tent in the Mosque for mourning (ceremonies) and Ma'tam and religious celebrations. (There is no objection in) erecting black sheets, having equipment for tea and food when that is not harm to the Mosque .and does not prevent prayer nor is inconsistent with the dignity of the Mosque

Issue ٣٥٤: When a Mosque becomes ruined, it is not permitted to sell its land or taken it into (personal) possession or a thoroughfare. It is even forbidden to sell its gates and windows and other things connected to the Mosque. If the Mosque is ruined it is obligatory to use these things in restoration that Mosque itself. When it can not benefit that Mosque, it is obligatory to use it in another Mosque. When it cannot be

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used in another Mosque, it is obligatory to sell it and use its price in the restoration of that .Mosque itself, otherwise, it is used in the restoration of another Mosque

Issue ۳۵۵: It is permitted to demolish the Mosque that is not ruined but needs expansion and its construction will be better and more spacious in accordance with the needs of the .Muslims

Issue ۳۵۶: Sleeping and talking worldly (materialistic) talk in the Mosque is disliked (Makrooh as is) reciting poetry that is devoid of (spiritual) advises and things similar to that. Likewise, it is disliked (Makrooh) to put spit, phlegm or nasal mucus in the Mosque. (It is disliked to) raise the voice, yell and scream (in the Mosque) and other things besides .that which are inconsistent with the dignity of the Mosque and its station

Issue ۳۵۷: It is recommended (Mustahabb) that people recite the Azaan and the Iqaamah before beginning the daily obligatory prayers. It is better that (reciting them) is not dropped as far as possible, particularly the Iqaamah. However, there is no Azaan and Iqaamah for the prayer of the 'Eid of Fitr and the 'Eid of Adha and other obligatory prayers. Rather, Prayer is said three times with the intention of Rajaa'. Likewise, it is recommended to recite the Azaan in the right ear of a newborn child and recite the Iqaamah in the left ear on the first day of birth or before his umbilical cord is severed. That is done with the intention of

.blessings and hoping in the reward of Allah

::Issue ۳۵۸: The Azaan is considered the following eighteen sentences

(times ۴) الله اکبر Allah is the Greatest

(times ۲) اشهد ان لا اله الا الله I bear witness that there is no God except Allah

(times ۲) اشهد ان محمدا رسول الله I bear witness that Muhammad is the Messenger of Allah

(times ۲) حی علی الصلاه Come to prayer

(times ۲) حی علی الفلاح Come to success

(times ۲) حی علی خیر العمل Come to the best act

(times ۲) الله اکبر Allah is the Greatest

(times ۲) لا اله الا الله There is no God except Allah

:The Iqaamah is considered as the following seventeen sentences

(times ۲) الله اکبر Allah is the Greatest

(times ۲) اشهد ان لا اله الا الله I bear witness that there is no God except Allah

(times ۲) اشهد ان محمدا رسول الله I bear witness that Muhammad is the Messenger of Allah

(times ۲) حی علی الصلاه Come to prayer

(times ۲) حی علی الفلاح Come to success

(times ۲) حی علی خیر العمل Come to the best act

(times ۲) قد قامت الصلاه The prayer is ready

(times ۲) الله اکبر Allah is the Greatest

(time ۱) لا اله الا الله There is no God except Allah

is اَشهد انّ علیاً ولی الله Issue ۳۵۹: The sentence: I bear witness that 'Ali is the guardian of Allah

not part of the Azaan and Iqaamah. However, it is good to recite it after the sentence: I

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bear witness that Muhammad is the Messenger of Allah with the intention of blessings in a manner that it is understood that it is not part of the Azaan and Iqaamah.

Issue ۳۶۰: The Azaan is dropped in five situations and the obligatory precaution is to leave it:

The Azaan of the prayer of 'Asr on Friday when ('Asr) is performed after Friday Prayer.

The Azaan before the prayer of 'Asr on the day of 'Arafah (the ۹th of the month of Zil-Hijjah) when the prayer of 'Asr had been performed with the Zuhr prayer.

The Azaan before the prayer of 'Ishaa' on the day of 'Eid of Adha for he who is at the sacred station (of pilgrimage) at Muzdalifah and he prays 'Ishaa' with Maghrib.

The Azaan before the prayer of 'Asr and 'Ishaa' for the woman having intermittent bleeding (Istihaadhah) who is obligated to perform her 'Asr prayer directly after Zuhr and her 'Ishaa' directly after Maghrib.

The Azaan before the prayers of 'Asr and 'Ishaa' for he who is incapable of hold retaining his urine or stool, in other words, the Maslool and the Mabtoon.

In a general manner, the Azaan is dropped for the prayer which is performed directly following the preceding prayer. To have a separation (between prayers) performing the Naafilah or Ta'qeebaat does not suffice. However, the prayers that are performed separately, meaning each at its optimal time, it is recommended to perform the Azaan and Iqaamah together.

Issue ۳۶۱: It is obligatory to perform the Azaan and the Iqaamah in

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proper 'Arabic. Based on this, if it is performed in an incorrect manner or by translation in another language, they are not correct.

Issue ۳۶۲: It is not sufficient for prayer to hear the Azaan on the radio or similar things, rather, the worshippers themselves must make the Azaan in the manner as mentioned.

Issue ۳۶۳: The Azaan is forbidden in a manner of singing. (Singing) is a melody appropriate for entertainment, amusement and corruption, as such it is invalid when completed as such.

Issue ۳۶۴: The obligatory precaution is to always perform the Azaan with the intention of the prayer. Performing the Azaan to announce the entering of the time (of prayer) without the intention of the prayer after it is objectionable.

Issue ۲۶۵: The obligatory parts of prayer are ten:

۱) Intention ۲) Standing ۳) Takbeeratul-Ihraam, meaning to say: Allah is the Greatest in the beginning of the prayer ۴) Recitation of Qur'an ۵) Bowing ۶) Prostration ۷) Tashahhud ۸) Salaam ۹) Sequence and ۱۰) Continuity, meaning to perform the parts of the prayer one following another.

Issue ۲۶۶: The obligatory parts of prayer are of two types:

The fundamental obligatory parts (Rukn)

The non fundamental obligatory parts (Ghairu Rukn)

The Rukn is that which invalidates the prayer with its omission or addition, intentionally, unintentionally or mistakenly. However, non fundamental obligatory part (Ghairu Rukn) does not invalidate the prayer with its addition or omission in it except when (the addition or omission) was intentional. The prayer is valid when there was an addition or omission unintentionally or

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.mistakenly

:Issue ۳۶۷: The fundamentals (Arkaan) of prayer are five

(Intention (Niyyah

.Takbeeratul-Ihraam

Standing in the state of performing the Takbeeratul-Ihraam and the standing connected .to the bowing (Rukoo'), in other words, the standing before Bowing

'.(Bowing (Rukoo

.The two Prostrations (Sajdah) together

of course it is not possible to imagine an addition in intention (Niyyah) as an addition in the Takbeeratul-Ihraam. If (the addition) was unintentional, it does not invalidate the prayer .although the recommended precaution is to repeat the prayer

Issue ۳۶۸: It is obligatory to perform the prayer with the intention of Qurbah, meaning complying with the divine command. It is not obligatory to articulate the intention or repeat it in the heart or mind in the beginning of prayer. Rather, it is sufficient when asked: What are you doing? It is possible to respond by saying: I am praying to Allah, be .He exalted

Issue ۳۶۹: It is obligatory to specify at the time of intention to pray Zuhr or 'Asr or another prayer. If it is only intended to pray four cycles (Raka'ah) it is not sufficient. Rather, it is obligatory to specify in the intention (Niyyah) the prayer to be performed. The obligatory precaution is to also specify that it is a current prayer (Adaa') or a lapsed prayer .('(Qadhaa

Issue ۳۷۰: He who prays or performs another type of worship for eyeservice, meaning to be seen by people, in addition to his prayers and worship being invalidated, he has incurred a major sin also. If an action is performed for Allah and man

.together, the prayer is invalid also and he has also incurred a sin

Issue ۳۷۱: The first part of the prayer is "Allahu Akbar" and this is called Takbeeratul-Ihraam. To leave it out intentionally or inadvertently invalidates the prayer. As for annexing something to it (in the meaning of repeating it two times, for example), if it is .intentional, it necessitates the invalidation of the prayer

Issue ۳۷۲: It is obligatory to perform the (Takbeer) "Allahu Akbar like the other Zikr of prayer, like Surah Al-Hamd and the second Surah, in proper 'Arabic. It does not suffice if it .is performed in incorrect 'Arabic or performed with a translation

Issue ۳۷۳: It is obligatory to perform the Takbeer, Al-Hamd and the second Surah and the remaining Zikr of prayer in a manner that it itself is heard if nothing prevents its being .heard

Issue ۳۷۴: The Qiyaam is obligatory and a pillar (Rukn) in two places in the prayer: at the time of performing the Takbeeratul-Ihraam and the Qiyaam which precedes the Rukoo' (Bowing) and it is that which the term standing is applied being connected to the Bowing. However, the Qiyaam at the time of reciting Al-Hamd and the second Surah and likewise, .(after Bowing is obligatory, but not a pillar (Rukn

Issue ۳۷۵: At the time of performing the obligatory Zikr of prayer, it is obligatory that the body be still. Rather, the obligatory precaution is that these areas are paid attention to even at the time of performing the recommended Zikr (as

.(in the Qunoot or supplication

Issue ٣٧۶: When one becomes disabled from standing during the prayer, it is obligatory to sit. When one is disabled also from sitting also, it is obligatory to lie down. However, it is .obligatory that nothing be recited as long as the body is not still

Issue ٣٧٧: It is obligatory upon he who is not able to pray standing to sit. However, if one is able to sit and take support on a stick or lean on a wall or similar things or separate the two legs. It is obligatory to pray standing except that (praying standing) be excessively difficult. Likewise, it is not allowed to praying lying down as long as one is capable of praying sitting, one should lean on something. When that (sitting) is not possible, lie on the side. When also that is not possible, like on the back in a manner that the soles of the feet .face toward the Qiblah

Issue ٣٧٨: It is obligatory after the Takbeeratul Ihraam to recite Surah Al-Hamd in the first two Raka'ah of the obligatory daily prayers and to recite a complete Surah of the Qur'an after Surah Al-Hamd, according to obligatory precaution. Then, it does not suffice to .recite one verse or several verses

Issue ٣٧٩: It is permissible with restricted time or in a place in which one fears a thief or a carnivorous animal, to abandon the recitation of the Surah (after Al-Hamd). Likewise it is when one is rushed due to an

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.important matter

Issue ۳۸۰: When one intentionally recites one of the four Surahs which contain the obligatory verse of prostration (Ayaatus-Sajdah) in the obligatory prayer, it is obligatory, according to precaution, to perform the Sajdah, then, stand up and recite Surah Al-Hamd .and another Surah anew and complete the prayer. Then, the prayer is to be repeated

If one inadvertently engages in a Surah which has one of the verses of prostration in it, if his attention is turned to that before arriving at the verse of prostration, it is obligatory to abandon the Surah and recite another Surah. When he has passed half of the verse of Sajdah, then, the precaution is to repeat the prayer. If his attention turned toward it after the recitation of the verse of prostration, act according in the manner that has passed .above

Issue ۳۸۱: It is permissible in the recommended (Mustahabb) prayers to abandon the recitation of the Surah (after Al-Hamd). Even in the recommended prayers that have become obligatory by reason of a vow (Nazr). However, in special recommended prayers which have particular Surahs in them, then, it is necessary to act in accordance with the .mentioned method

Issue ۳۸۲: It is obligatory for men to recite Surah Al-Hamd and the second Surah audibly in Salatul-Fajr, Maghrib and 'Ishaa'. It is obligatory for them to recite Al-Hamd and the second Surah inaudibly in Salatuz-Zuhr and 'Asr. Likewise, it is obligatory upon women to recite inaudibly in Zuhr and 'Asr. As for the recitation of Al-Hamd

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and the second Surah in Salatul-Maghrib, 'Ishaa’ and Fajr, then, it is permissible for woman to recite audibly or inaudibly. However, when a non-relative (meaning non-Mahram) can hear their voice, the recommended precaution is that they recite inaudibly.

Issue ٣٨٣: When the voice is raised in recitation and Zikr more that the normal extent and it is recited by shouting, the prayer is invalid.

Issue ٣٨٤: It is not allowed for anyone to accept payment for teaching the obligatory matters of prayer to another (according to obligatory precaution). There is nothing preventing taking a payment for the recommended matters, except that these recommended matters are the ceremonies of religion or the preservation of divine law depends upon its teaching.

Issue ٣٨٥: It is not obligatory to be mindful of that which the scholars of Tajweed (recitation of Qur’an) have mentioned in order to improve the recitation of the Qur’an and Zikr. Rather, it is obligatory to recite in a manner that it can be said that it was recited in proper 'Arabic. Although being mindful of the principles of Tajweed is best mostly, not always.

Issue ٣٨٦: The worshipper has a choice in the third and fourth Raka'ah of the three and four Raka'ah prayer between reciting Surah Al-Hamd (without the second Surah) or reciting the Tasbeehaat Al-Arba' three times. This Tasbeeh is:

سُبْحانَ اللهِ وَ الحَمْدُ اللهِ

وَلا إلهَ إلاّ اللهُ وَ الله أكبرُ

"Glorified is Allah; the Praise is for Allah; there is no God except Allah and Allah is the Greatest"

It suffices to recite

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this Tasbeeh one time also, although three times is best. Nothing prevents the recitation .of Al-Hamd in one of the two Raka'ah and the Tasbeehaat Al-Arba' in the other

Issue ۳۸۷: Inaudible recitation is obligatory in Al-Hamd and the Tasbeehaat Al-Arba' in • according to بِسْمِ اللّهِ الرَّحْمنِ الرَّحِيم the third and fourth Raka'ah in prayer. Rather, even in .obligatory precaution

Issue ۳۸۸: It is better to recite Surah Al-Qadr in the first Raka'ah and Surah Al-Ikhlaas in the second Raka'ah and to not repeat one Surah in two Raka'ah, except Surah Al-Ikhlaas. It is not better to abandon Surah in all of the daily prayers. The best is to select Surahs that turn the attention of man to matters which they have need for and cause him to .abandon sin and disobedience which they are entangled in

Issue ۳۸۹: It is obligatory to perform one Rukoo' in every Raka'ah after recitation. The Rukoo', meaning that the worshipper bows to touch the inside of his hands to his two knees. Rather, the obligatory precaution is to put the inside of the two hands on his two .knees

Issue ۳۹۰: It is obligatory for he who prays sitting to bend in the extent that it can be said .that he is bowing

Issue ۳۹۱: It is obligatory to perform Zikr in Rukoo'. The Zikr of Rukoo', according to :obligatory precaution, is to say three times

"Glorified is Allah" سُبْحانَ اللهِ

:or say one time

Glorified is my Lord the Almighty and His is" سُبْحانَ رَبّى العَظِيم وَ بِحَمْدِهٖ

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"the Praise

It is obligatory to perform it in proper 'Arabic and it is recommended to repeat it three, .five or seven times

Issue ۳۹۲: He for whom it is not possible to bend to the extent of bowing, it is obligatory that he take a support on something and bow to the extend he is able. When that is not possible, it is obligatory that he bend to the extent that he is able. When bending is not possible at all, it is obligatory that he make Rukoo' sitting. When that also is not possible, he can make a gesture with his head with the intention of Rukoo' in the state of standing. When also this is not possible, he should close his eyelids with the intention of Rukoo' and '.perform the Zikr and open his eyes with the intention of standing up from the Rukoo

Issue ۳۹۳: It is obligatory after finishing the Rukoo' to stand up straight and after the body comes to a standstill, prostrate. If this action is abandoned, the prayer is invalid. As for .when it is abandoned inadvertently, there is no objection in the prayer

Issue ۳۹۴: When the Rukoo' is forgotten and it was remembered before the first Sajdah or between the two Sajdah or before the forehead is placed on the ground for the second '.(Sajdah, it is obligatory to return and stand, then, bow down (in Rukoo

Issue ۳۹۵: Two prostrations are obligatory in every Raka'ah of the obligatory and recommended prayers. The place of

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the two prostrations are after the Rukoo'. If the two prostrations are abandoned intentionally or due to forgetfulness or four Sajdah as a substitute of the two prostrations, the prayer is invalid. As for the increase or decrease of one Sajdah .inadvertently, then, it does not invalidate the prayer

Issue ۳۹۶: It is obligatory to put seven places on the ground in the two prostrations, they are: the forehead, the palms of the hands, the two knees and the two large toes of the feet. If one of these places are not put on the ground intentionally, the prostration (Sajdah) is invalid. If the forehead is not placed on the ground inadvertently, the Sajdah is also invalid. As for when the forehead is placed on the ground and some of the other limbs .are not placed on the ground inadvertently, the prostration is proper

Issue ۳۹۷: The Zikr of Sajdah is obligatory also. The precaution is to say, at the minimum, :three times

سُبْحانَ اللهِ "Glorified is Allah"

:Or say one time

سُبْحانَ رَبِّیَ الاَعْلَی وَبِحَمْدِهِ "Glorified is my Lord the Most High and His is the Praise"

.Whenever this Zikr is repeated more, it is better

Issue ۳۹۸: It is obligatory to sit after the first prostration until the body becomes still, then, .go to the second prostration

Issue ۳۹۹: It is obligatory that the place of the forehead in prostration not be higher nor lower than the place of the knees by more than four adjoined fingers. Likewise, the place of the forehead in relation to

.the place of the toes of the feet, whether the earth be sloping or not

Issue ۴۰۰: It is obligatory that the forehead be placed, in prostration, on something which the prostration is proper upon. With the permission of Allah, the details of that is coming in the following issues. When a barrier exists between the forehead and this thing, like hair or dirt which is on the Turbah (clay tablet) whereas it blocks the contact of the skin with the Turbah, the prostration is invalid. However, there is no problem in the changing of the .color of the Turbah

Issue ۴۰۱: It is obligatory upon he who cannot place his forehead on the ground for prostration to bend to the extent which he is able and place the Turbah or something which is the prostration is proper upon an elevated place to contact his forehead and place the palms of the hands, the knees and the tips of the toes of the feet on the ground as usual, then, prostrate. When it is not possible to bend, it is obligatory to gesture with the head, otherwise, gesture with the eyes, meaning to close them with the intention of prostration and open them with the intention of rising from the prostration. In every state, the obligatory precaution is to raise the Turbah and place it on the forehead. When .all of that is impossible, the precaution is to intend the prostration in the heart

Issue ۴۰۲: It is permitted at the time of

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dissimulation (Taqiyyah) to prostrate upon carpets and similar things. It is not necessary .to go to other place for prayer until the Turbah can be prostrated upon

Issue ۴۰۳: After the second prostration, such that it is not the place of the obligatory .Tashahhud, it is best to sit motionless, then, stand up after that to the adjoined Raka'ah

Issue ۴۰۴: At the time of prostration, it is obligatory to place the forehead upon the earth or that which grows in the earth, like wood and the leaves of trees. The prostration is not .permitted upon things eaten or worn (as clothing) although it may grow in the earth

Likewise, the prostration on metals like gold and silver are invalid. However, the prostration on mineral formations like marble, white stone and, even, Carnelian ('Aqeeq), .there is no objection in it

Issue ۴۰۵: There is no objection in the prostration upon fodder, tobacco and whatever is similar to that from that which grows in the earth and is food for animals. Likewise is the prostration upon flowers which are not food for people. As for flowers and roses that are a type of herbal remedy used in the form of food, like violets, borage, then, the precaution is not to prostrate upon it. Likewise it is for some plants which are food in one country but .not in another country

Issue ۴۰۶: Prostration is proper upon gypsum and limestone whether it be before baking .or after. Likewise, it is permitted on bricks, clay (pottery) and cement

Issue

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It is permissible to prostrate on paper, except that we are certain that it is made from :۴۰۷ cotton or that which the prostration is not proper upon legally. Whereas the majority of the paper is made from wood in our present time or, at the minimum, we have doubt .about what it is made from, it is permissible to prostrate upon it

Issue ۴۰۸: The best thing for prostration is soil, particularly the soil of the Chief of The Martyrs, Imam Al-Hussain, peace be upon him, by which the blood of the martyrs is remembered and their sacrifice in the path of Allah and the preservation of religion and .honor

Issue ۴۰۹: Prostration for other than Allah the Exalted is forbidden. That which is done by some of the common folk before the graves of the A'immah, upon them be peace, in placing the forehead on the earth, if it is with the intention of prostration for the Imam, then, it is a forbidden act. When it was to thank Allah the Exalted, then, there is no objection in it. However, if this action manifests in the form of prostration for the Imam, upon him be peace or it becomes an excuse in the hand of enemies and a disgrace upon .the sect, there is an objection in it

Issue ۴۱۰: Verses of prostration are found in the Noble Qur'an, as we have previously stated, in four Surahs, they are: Surah As-Sajdah (۳۲); Surah Fussilaat (۴۱); Surah Najm (۵۳) and Surah 'Alaq

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When people recite or hear the verse of prostration, it is obligatory to prostrate .(۹۶) immediately. If it is forgotten, it is obligatory to prostrate wherever it is remembered. When it is not heard but the verse of prostration passes through the ears, then, the obligatory precaution is also to prostrate.

Issue ۴۱۱: When the verse of prostration is heard from equipment like a recording or the radio, the precaution also is to prostrate.

Issue ۴۱۲: It suffices for the obligatory prostration of the Qur’an to prostrate only. It is not obligatory to perform any Zikr, however, the best manner is to perform the Zikr of Allah and it is better to select this Zikr:

لا إلَهَ إلاّ اللّهُ حَقّاً حقاً،

لا إلَهَ إلاّ اللّهُ إيماناً و تَصْدِيقاً،

لا إلَهَ إلاّ اللّهُ عُبُودِيَّةً وَرِقّاً،

سَجَدْتُ لَكَ يا رَبِّ تَعَبُّداً وَرِقّاً،

لا مُسْتَنْكِفاً وَلا مُسْتَكْبِراً،

بَلْ اَنَا عَبْدٌ ذَلِيلٌ ضَعِيفٌ خائِفٌ مُسْتَجِيرٌ

Issue ۴۱۳: The Tashahhud in the second Raka'ah of all of the prayers is obligatory. Likewise, in the last Raka'ah of Salatul-Maghrib, 'Ishaa’, Zuhr and 'Asr. The method of Tashahhud is:

To sit after the second prostration in the state of stillness of the body, it suffices to say:

أشْهَدُ أنّ لا اله الا اللهُ وحده لا شَريكَ لَهُ

وَ أشْهَدُ أنّ مُحَمَداً عَبْدُهُ وَ رَسُوله

اللهم صَلْ على مُحَمَدٍ وَآل مُحَمَدٍ

It is obligatory that it be performed in proper 'Arabic observing in it the proper order and continuity.

Issue ۴۱۴: When the Tashahhud is forgotten, then, it is remembered before the connected Rukoo', it is obligatory to sit immediately and

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.perform the Tashahhud, then, stand a second time and recite the Tasbeehaat anew

As for when it was remembered during the Rukoo' or after it, the prayer is valid and returning (to the Tashahhud) is not obligatory. However, the obligatory precaution is to remake the Tashahhud after the prayer, then, perform the two prostration of .forgetfulness (Sajdah As-Sahw) also

Issue ۴۱۵: It is obligatory upon the worshipper to perform the actions of the prayer according to the sequence mentioned in the previous issues. If they are intentionally performed contrary to that, like the prostration is performed before the Rukoo' or the .Tashahhud (is performed) before the prostration, the prayer is invalid

If that is performed due to forgetfulness, it is obligatory to perform that which has not entered into the connecting pillar (Rukn) so that the sequence is achieved. When one has already arrived at the connected pillar (Rukn), the prayer is valid, except that the forgotten part be one of the pillars of prayer, like forgetting the Rukoo' and entering into .the second Sajdah. Then, in this situation, the prayer is invalid

Issue ۴۱۷: It is obligatory upon the worshipper to be mindful of the continuity and be aware not to cause a large gap the actions of prayer, like Bowing, prostration and Tashahhud whereas it takes one out of the form of prayer, otherwise, it will invalidate the .prayer whether that be intentional or inadvertent

Issue ۴۱۸: The supplication (Qunoot) is recommended in all of the obligatory and 'recommended prayers before the Rukoo

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of the second Raka'ah. However, the precaution is to abandon the supplication in prayer of Intercession (Salah Ash-Shafa'). The supplication is recommended in Salah Al-Witr with '.it being one Raka'ah and (performed) before Rukoo

Issue ۴۱۹: A particular Zikr or Dua' is not conditional in the supplication. As such, the two hands are raised. However, the best manner is to raise the hands opposite the face whereas the palms of the hands are toward to sky and one hand is attached to the other. Allah is glorified and supplicated and it is permissible to recite whatever Zikr one desires in one time. However, the best manner supplication is سُبْحانَ الله the supplication, even saying :the following supplication

لا اِلهَ اِلاَّ اللّه ُ الحَلِيمُ الكَرِيمُ،

لا اِلهَ اِلاَّ اللّه ُ العَلِيُّ العَظِيمُ،

سُبْحانَ اللّه ِ رَبِّ السَّمواتِ السَّبْعِ،

وَرَبِّ الاَرَضِينَ السَّبْعِ،

وَما فِيهِنَّ وَما بَيْنَهُنَّ وَرَبِّ العَرْشِ العَظِيمِ،

وَالْحَمْدُ للّه ِ رَبِّ العالَمِينَ

(Sequence (Tarteeb .۹

(Continuity (Muwaalaah .۱۰

(Supplication (Qunoot

Ta’qeebaat As–Salah

Issue ۴۲۰: It is recommended that the worshipper engage in Zikr and Dua' and recitation of Qur’an after the prayer, this is called Ta'qeeb. The best manner is that before moving from one's place and doing whatever may invalidate the Wudhu’, to face the Qiblah and perform the Ta'qeebaat. Many Ta'qeebaat have been recorded in the books of supplications from the infallible A’immah, upon them be peace. Among the most important is the Tasbeeh of Fatimah Az-Zahraa’, upon her be peace, it is in the following :manner

الله اكبر (times ۳۴)

الْحَمْدُ للّهِ (times ۳۳)

سُبْحانَ الله (times ۳۳)

There are many virtues in this Tasbeeh and great

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.reward

Invalidation of Prayer

:Issue ۴۲۱: The things that invalidate the prayer are twelve

.First: Removal of one of the conditions of prayer during the prayer

Issue ۴۲۲: Second: To perform that which invalidates the Wudhu' and the prayer, intentionally, inadvertently or by compulsion. However, the one afflicted with urinary and gastronomic disorders, it is obligatory that they act according to the duty and method whose mention has passed in the rules of Wudhu'. The emergence of blood from a woman with irregular bleeding (Istihaadhah) does not invalidate the prayer with the condition that she acts in accordance with the duty of the woman having irregular .(bleeding (Mustahaadhah

Issue ۴۲۳: Third: Among the things invalidating the prayer is Takfeer and Qabdh, it is to place one hand over the other in prayer as some of the Islamic sects do. Even placing one of the two hands on the other or placing the hand on the chest in the state of prayer with the intention of respect, although it is not resembling that previously mentioned. The .precaution, then, is to repeat the prayer

As for when this action is done out of forgetfulness or due to compulsion or another .matter, like one hand scratching the other and similar things, there is no objections

Issue ۴۲۴: Fourth: Among the things invalidating the prayer is to say Ameen after finishing Surah Al-Hamd. The precaution is in this situation to complete the prayer, then, repeat it a second time. However, one says this expression mistakenly or due to dissimulation (Taqiyyah), then, there is

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.no objection

Issue ۴۲۵: Fifth: Among the things invalidating the prayer is to turn the back toward the Qiblah or to place it completely on the left or right intentionally or inadvertently. Likewise, one's prayer is invalidated when one turns in the amount that it is not true that one is .facing toward the Qiblah

Issue ۴۲۶: Sixth: Among the things invalidating the prayer is that the worshipper talks intentionally, although with a sentence or one word, even if with one word having two Rather, the precaution is to nullify the prayer if one speaks with .مَنْ and ما :letters only, like two letters having no meaning. (Intended by precaution in invalidating the prayer is to .(complete the prayer, then, repeat it anew

.Issue ۴۲۷: Speaking inadvertently or due to forgetfulness does not invalidate the prayer

Issue ۴۲۸: It is obligatory that the worshipper does not greet anyone in the state of prayer, however, when someone greets him, it is obligatory to return the greeting. The return, however, is obligatory to be like the greeting, for example, if one says: As-Salaamu 'Alaikum, its reply is: As-Salaamu 'Alaikum. When one says: Salaamun 'Alaikum, .its reply is: Salaamun 'Alaikum. Even if one says: Salaam, its reply is: Salaam

Issue ۴۲۹: Returning the Salaam is obligatory in other (circumstances besides) prayer also. Regarding delivering the Salaam and initiating it, then, it is recommended. It is obligatory that the return (meaning the reply) be in a manner deemed as returning the Salaam, meaning if there is a delay

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for a period of time in returning (the Salaam) whereas the reply and the return are not deemed to be together, it is deemed as a sin and it is not obligatory upon to return (the Salaam) to the other.

Issue ۴۳۰: When a person enters upon a group and greets them, it is obligatory upon all to return the greeting. If one of them returns the greeting, it suffices for all.

Issue ۴۳۱: Initiating the Salaam is one the emphatic recommendations and much emphasis has come in the Noble Qur'an and the Islamic traditions. The rider should give Salaam to the one on foot, the one standing should give Salaam to the one sitting and the younger should give Salaam to the elder.

Issue ۴۳۲: Seventh: Among the things invalidating the prayer is laughing with sound intentionally. Likewise is the laughing which is involuntary. As for smiling, it does not invalidate (the prayer) although it is intentional. As such is laughing inadvertently thinking that one is not in prayer, it does not bring about invalidation of the prayer.

Issue ۴۳۳: Eighth: Among the things invalidating the prayer is crying with sound, although it is not voluntary. Rather, crying without sound invalidates the prayer also (according to obligatory precaution). This is when the crying is not for fear of Allah the hereafter, otherwise, it does not bring about invalidation of the prayer. Rather, it is one of the best deeds and the custom of the friends of Allah (Awliyaa' Allah).

Issue ۴۳۴: Ninth: Among the

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things invalidating the prayer are actions which ruin the form of prayer, like hand clapping and jumping and whatever is similar to that, be it intentional or inadvertent or due to forgetfulness. As for actions which do not ruin the form of prayer, like a gesture, for .example, it does not invalidate the prayer

Issue ۴۳۵: Tenth: Among the things invalidating the prayer is eating and drinking in such a manner that it ruins the form of prayer. As for swallowing remaining particles of food and whatever, between the teeth which is similar to it during the prayer, it does not invalidate .the prayer

Issue ۴۳۶: Eleventh: Among the things invalidating the prayer is doubt in the two and three Raka'ah prayer and, likewise, doubt in the first and second Raka'ah of a four Raka'ah .prayer

Issue ۴۳۷: Among the things invalidating the prayer is addition and reduction in a pillar (Rukn) of the prayer, intentionally or inadvertently, like adding or reducing the Rukoo' or the two prostrations together. Regarding the addition and reduction of that which is not a pillar, if it is unintentional, then, it does not invalidate (the prayer). If it is intentional, it .invalidates the prayer, like adding or reducing one prostration

Instances in which it is Permitted to Break the Prayer

point

Issue ۴۳۸: It is not permitted to break the obligatory prayer and ruin it intentionally according to precaution. However, there is nothing prevention that in order to ward off damage in property and body. For example, when the life of the worshipper or whomever he is obligated to

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protect is in danger and it is not possible to ward off the danger except by breaking the prayer, then, it is obligatory to break the prayer in this situation. Likewise it is in order to protect property one is obligated to protect. As for property which is not of great .importance, then, it is disliked (Makrooh) to break the prayer due to it

:Issue ۴۳۹: The doubts of prayer are ۲۳ divisions

.Doubts which invalidate the prayer, they are ۸ divisions (۱

.Doubts which are not to be paid attention to, they are ۶ divisions (۲

Proper doubts, they are ۹ divisions. Their explanation will come in the subsequent issue, (۳ .by the permission of Allah the Exalted

:Issue ۴۴۰: Eight doubts that invalidate the prayer are as follows

Doubt (Shakk) in the two Raka'ah prayer of Salatul-Fajr and the traveler's prayer (۱ (Salatul-Musaafir). However, doubt in the two Raka'ah recommended prayer does not .invalidate the prayer

(Doubt in the three Raka'ah prayer (Maghrib (۲

Doubt in the four Raka'ah prayer, when any one of the two sides of doubt is in the first (۳ .Raka'ah, like doubting whether one Raka'ah or three Raka'ah have been prayed

Doubt in the four Raka'ah prayer before completing the second prostration when one (۴ of the two sides of doubt is in two Raka'ah (like doubting, before completing the two .(prostrations whether two Raka'ah have been prayed or three

.Doubt between two and five (Raka'ah) or more than five (۵

,Doubt between three and six (Raka'ah) and more than six (of course (۶

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.(this doubt only occurs rarely but it is necessary to explain its rule at this time

Doubt between fourth and six (Raka'ah) and more than six. However, the obligatory (۷ precaution here is act according to the doubt between four and five, meaning to base it on being four (Raka'ah) and complete the prayer, then, after the prayer perform two .prostrations of forgetfulness (Sajdatus-Sahw), then, repeat the prayer a second time

.Doubt in the number of Raka'ah in that it is not known how many Raka'ah have prayed (۸

Issue ۴۴۱: When one of the invalidating doubts happen to a person during the prayer, it is not permissible for him to break the prayer immediately, rather, it is obligatory that he think a while first. Then, if his doubt is established and does not vanish, he can abandon .the prayer

:Issue ۴۴۲: The doubts that are not be paid attention to are as follows

.(Doubt after the place (has been passed (۱

.(Doubt after the Salaam (the closing of the prayer (۲

.Doubt after the expiration of the time of the prayer (۳

.The doubt of excessive doubting (۴

The doubt of the leader of prayer (Imam) and the followers (meaning the doubt of (۵ every Imam and follower in the Raka'ah with the safeguarding of the other. Then, the one .(of the two in doubt will refer to the other

Doubt in the recommended prayer. The explanation of each of these doubts will come (۶ .in the coming issues

Issue ۴۴۳: When there is doubt in the number of Raka'ah

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:in the four Raka'ah prayer, one's doubt is proper in ٩ situations, they are

First: Doubt between two and three (Raka'ah) after raising the head from the second• Sajdah. In this situation, base (the number of Raka'ah) on three Raka'ah having been prayed. Then, perform one other Raka'ah and complete the prayer. After the prayer, perform one Raka'ah of the prayer of precaution (Salatul-Ihtiyaat) standing. The .explanation of the method of this Raka'ah will come

When the doubt is in the second prostration after the obligatory Zikr, act according to• this method also, according to obligatory precaution, then, repeat the prayer after that. (This rule is applied in all of the instances in which doubt occurs after completing the .(second prostration and before raising the head from it

Second: Doubt between three and four (Raka'ah) in any place in the prayer it may be.• The prayer is based on four (Raka'ah) and complete the prayer, then perform one .Raka'ah of the prayer of precaution standing or two Raka'ah sitting

Third: Doubt between two and four (Raka'ah) after raising the head from the second• prostration. Then, the prayer is based on four (Raka'ah) and the prayer is completed, .then, two Raka'ah of the prayer of precaution is performed standing

Fourth: Doubt between two, three and four (Raka'ah) after raising the head from the• second prostration. The prayer is based on four (Raka'ah) and after completing the prayer, two Raka'ah of the prayer of precaution is performed standing and two Raka'ah .sitting

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Fifth: Doubt between four and five (Raka'ah) after raising the head from the second prostration. The prayer is based on four (Raka'ah) and the prayer is completed and, afterward, two prostration of forgetfulness (Sajdatus-Sahw) are performed.

• Sixth: Doubt between four and five (Raka'ah) in the state of standing. Then, one sits down until his doubt changes to doubt between three and four. Then, it is based on four and the prayer is completed. Then, one Raka'ah of the prayer of precaution is performed standing or two Raka'ah sitting. The obligatory precaution is to also repeat the prayer.

• Seventh: Doubt between three and five (Raka'ah) in the state of standing. It is obligatory to sit until the doubt changes to doubt between the two and four. Then, it is based on four and the prayer is completed. Then two Raka'ah of the prayer of precaution is performed standing. The obligatory precaution is to repeat the original prayer also.

• Eighth: Doubt between three, four and five (Raka'ah) in the state of standing. Then, it is obligatory to sit, then, one's doubt should return to doubt between two, three and four. Then, it will be based upon four and prayer completed. Then, two Raka'ah of the prayer of precaution are performed standing and two Raka'ah sitting. The precaution is to repeat the original prayer also.

• Ninth: Doubt between five and six in the state of standing. It is necessary to sit in order that one's doubt is changed to doubt between four and

five, then, the prayer is completed. After the prayer, two prostrations of forgetfulness are performed. The precaution is also to repeat the original prayer.

Issue ۴۴۴: When proper doubts come to people, it is not permissible for them to break their prayer, rather, it is obligatory upon them to act according to the duties mentioned in the preceding issues. It is obligatory at the time of doubts occurring, whatever type it may be, to think a while first. Then, when certainty is not gained for one of the two sides of doubt or an assumption (Zann) is not obtained in the instances in which an assumption is considered for whatever side, then, one's doubt is one of the invalidating doubts and the prayer is abandoned (in other words broken) and started anew. When the doubt was one of the proper doubts, one must act according to the duties mentioned in the preceding issues.

Issue ۴۴۵: The ruling of an assumption (Zann) in the Raka'ah of prayer is (like) the ruling of certainty, meaning that it is obligatory to base it on that which one assumes and continue to the prayer. However, when that is in the first and second Raka'ah, then, the obligatory precaution is to repeat the prayer after that as well.

Issue ۴۴۶: The prayer of precaution (Salatul-Ihtiyaat) is that which is performed at the time of doubt in the Raka'ah of prayer in the following manner:

After the Salaam (conclusion), it is obligatory for the worshipper to make the intention of

the prayer of precaution, then say: Allahu Akbar and recite Surah Al-Hamd (abandoning the second Surah). Then, bow, then, prostrate the two prostrations like the ordinary .prayer

When one's duty is to perform one Raka'ah of the prayer of precaution, the Tashahhud is made after the two prostrations and the Salaam is made. When one's duty is to perform two Raka'ah of the prayer of precaution, stand after the second prostration and perform the second Raka'ah like the first (in other words, recite Surah Al-Hamd only, then, bow and make two prostrations). Then, the Tashahhud is made after the second prostration .and the Salaam is performed

Issue ۴۴۷: There is no Azaan nor Iqaamah for the prayer of precaution, nor a second Surah nor a supplication (Qunoot). Inaudible recitation is obligatory in the recitation of Surah Al-Hamd. Rather, the obligatory precaution is to recite the Basmallah inaudibly also, although one has not performed any action invalidating the prayer between the .original prayer and the prayer of precaution

Doubts in Prayer

Invalid Doubts .١

Doubts That Are Not To Be Paid Attention To .٢

Proper Doubts .٣

The Method of The Prayer of Precaution

Instances in Which The Prostration of Forgetfulness is Obligatory

Issue ۴۴۸: It is obligatory to perform the two prostrations of forgetfulness after the prayer for a number of matters in the manner whose mention will come, according to obligatory .precaution

For speaking inadvertently (meaning speaking while assuming that one had already (١ .(finished the prayer

For the Salaam inadvertently (mentioned) in other than its place (meaning that the (٢ .(Salaam was made at the end of two Raka'ah in a four Raka'ah prayer, for example

.For the forgotten prostration (۳

.For the forgotten Tashahhud (۴

When one inadvertently sat (۵

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.in place of standing or one stood in place of sitting

It is obligatory at the time of doubt between four and five (Raka'ah) after the second (۶ prostration, to complete the prayer and after that perform two prostrations of forgetfulness. Likewise, it is recommended to perform the two prostrations of .forgetfulness for every increase and reduction

The Method of The Prostration of Forgetfulness

:Issue ۴۴۹: The prostration of forgetfulness is performed in the following manner

After the prayer, immediately make the intention for the prostration of forgetfulness, :then, make a prostration and say in the prostration

بِسْمِ اللهِ وَ بِاللهِ السَّلامُ عَلَيْكَ أَيُّها النَّبِىُ

وَرَحمَتُ اللهِ وَ بَرَكاتُهُ

In the name of Allah and By Allah, Peace be upon you O Prophet and the Mercy of Allah" "and His Blessings

Then, raise the head from the prostration, then, prostrate the second time and repeat the same Zikr. After that, raise the head from the prostration and make the Tashahhud and Salaam. The precaution is that the obligatory part suffices for Tashahhud and one can be .contented with the final Salaam only

Issue ۴۵۰: It is obligatory to perform the two prostrations of forgetfulness facing the Qiblah; to have Wudhu' and purity (Tahaarah) and to place the forehead on that which .the prostration is proper upon in prayer

The Qadhaa' of The Forgotten Prostration And The Forgotten Tashahhud

Issue ۴۵۱: When one prostration was forgotten or a number of prostrations of numerous Raka'ah, it is obligatory to perform its re-make (Qadhaa') after the prayer (of course, .(forgetting two prostrations together in one Raka'ah invalidates the prayer

When the Tashahhud was forgotten, it is obligatory to perform its

Qadhaa' immediately without delay. It is performed in addition to the Qadhaa' of the forgotten (items) with two prostrations of forgetfulness, according to obligatory precaution (however, the Tashahhud in the two prostrations of forgetfulness suffices for .(the forgotten Tashahhud

Issue ۴۵۲: Conditional in the Qadhaa' of the forgotten Tashahhud and the forgotten prostration is all that is condition in the prayer (like) purity (Tahaarah), the Qiblah and .other conditions. It is obligatory to perform them directly after the prayer

Defects in the Parts of the Prayer and its Conditions

Issue ۴۵۳: When something in one of the obligatory matters of prayer are added or reduced intentionally, the prayer is invalid. As for when that action is done out of ignorance of the issue, then, if that part is a pillar (Rukn), the prayer is invalid. When the parts are a non-pillar, the prayer is valid with the condition that one be ignorant and .restricted, in other words, it was not possible to learn the legal issues

When there is an addition or reduction in the parts of prayer inadvertently, if that part is one of the pillars of the prayer, the prayer is invalid. When it is not one of the pillars, the prayer is valid. When it was one of the conditions of prayer, like Wudhu' or Ghusl already .examined, the prayer is invalid, be it intentionally or inadvertently

Issue ۴۵۵: When it is known after the prayer that one has prayed before entering the time of prayer or he prayed with the back facing the Qiblah, it is obligatory to repeat the

prayer with the time or its Qadhaa" when the time has expired. However, when one has .prayed with the Qiblah to his left or right inadvertently, the prayer is not invalidated

Prayer of the Traveler

point

Issue ۴۵۶: It is obligatory upon the traveler to shorten his prayer (in other words to perform the four Raka'ah prayer as two Raka'ah in place of four Raka'ah) and that is with :eight conditions

The First Condition: That the distance which is covered in one's journey is not less than .(eight legal Faraasikh (in other words, the extent ۴۳Kilometers/۲۶.۷ US miles

Issue ۴۵۷: It is obligatory upon he whose sum of going and returning is eight Faraasikh to shorten his prayers whether his going is four Faraasikh (in other words ۲۱.۵ Kilometers/ ۱۳.۴ miles) or more or less. Rather, it suffices that the amount of one's going and return be eight Faraasikh in order to shorten one's prayer whether one returns in the that same night or does not return, except that one stays in a place in the middle of this journey for .ten days

Issue ۴۵۸: At the time of figuring the legal distance, it is obligatory to begin with the last .house of the city

Issue ۴۵۹: The Second Condition: it is to intend from the beginning of the matter to travel the legal distance. Based on this, when one intends from the beginning to travel less than eight Faraasikh and in the way or after arriving to the intended place, one intends to extend his journey so that the

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.total is eight Faraasikh, due to that, he prays a complete prayer and does not shorten it

However, when it is intended during or after arriving at the intended destination to travel eight Faraasikh or more (further), one's prayer is shortened.

Issue ۴۶۰: He who travels searching for a lost item and does not known how much it will be necessary to travel in order to arrive at one aim, it is obligatory to pray one's prayer full. However, at the time of returning to one's country or a place of (temporary) residence, when the distance is eight Faraasikh or more, one's prayer is shortened.

Issue ۴۶۱: He whose choice of travel is (in the hands) of another, like the child who is obligated to travel with his father, if he knows that his father will travel eight Faraasikh, it is obligatory that he shorten his prayers. Likewise, if one is taken to a place out of compulsion (like a prison), and it is known that he will travel eight Faraasikh or more, it is obligatory for him to shorten is prayer, except when there is a reasonable possibility that he will separate from them before four Faraasikh and return.

Issue ۴۶۲: The third condition: Is not to change from one's intended (destination) in the way. According to this, when one changes from one's intended (destination) before arriving at four Faraasikh or one is in doubt, it is obligatory to pray full. As when one changes from the intended (destination) after reaching four Faraasikh,

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it is obligatory to shorten one's prayer, except that one is in doubtful about remaining or returning or he desires to stay there for ten days.

Issue ۴۶۳: The fourth condition: Is that one not pass through his own city before reaching eight Faraasikh and that one not intend to reside and stay ten days or more in a place along the way. When one passes through his city, his journey is disrupted and, likewise it is when one arrives at a place of (temporary) residence. When one becomes doubtful as to whether to he has passed through his city or resides in a place for ten days or not, then, it is obligatory to pray one's prayer full.

Issue ۴۶۴: The fifth condition: That the journey not be undertaken to commit a sin. Then, when the journey is for the aim of stealing or treachery or another unlawful deed, it is obligatory to pray full. Likewise, when the journey itself is unlawful, like there being a harm considered upon the body or when a woman travels without the permission of her husband (according to obligatory precaution) or a child travels in spite of the prohibition of his parents so that it brings about distress upon them, then, it is obligatory upon these to pray full and they do not have the right to shorten (their prayers). However, when the journey was obligatory, like the obligatory pilgrimage (Hajj) the agreement of the husband and the parents is not conditional and it is

.obligatory to shorten the prayers

Issue ۴۶۵: It is permissible to travel with the intention of roaming or recreation and whatever may be similar as long as one does not go to the extreme and other unlawful .acts, it is obligatory to shorten the prayer

Issue ۴۶۶: He who travels for hunting for his own livelihood, then, his travel is lawful and his prayer is shortened. Likewise it is when someone travels to increase profits and earnings. As far as traveling for hunting as a recreation and entertainment, then, his .travel is unlawful and it is obligatory that the prayer is prayed full

Issue ۴۶۷: The sixth condition: It is that one not be a nomadic Bedouin who has no specific home. Rather, they stop and take up residence wherever they find water and pasture for themselves and for their animals. These (people), then, pray full and they fast in all of .these journeys

Issue ۴۶۸: The seventh condition: That one's occupation not be traveling, like a driver, sailor, pilot or camel driver similar to these of he whose occupation is traveling. It is .obligatory upon these (people) to pray full, although it is their first journey

Issue ۴۶۹: He whose occupation is not traveling, however, the journey is a prerequisite for his occupation, like a teacher, laborer or an employee who resides in a city but he is compelled to travel to another area specifically for his employment and the distance between the places are eight Faraasikh going and coming or more, it is

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.obligatory upon them to pray full and fast

Issue ۴۷۰: He whose occupation is traveling, when he travels for other than his employment (like traveling for the pilgrimage or Ziyaarah or another purpose) it is obligatory for him, like the rest of the travelers, to shorten the prayer. However, when a driver hires his car for Ziyaarah and (travels for Ziyaarah) and he is responsible to drive .(his car), it is obligatory that he pray his prayer complete

Issue ۴۷۱: He whose occupation is traveling, when he stays in a place for ten days or more, whether that place is his city or not, whether he intended initially to stay there ten days or not, it is obligatory upon him to shorten (his prayer) and prays full in the beginning of the journey he travels after ten days are completed in that place (according to precaution). If he had doubt whether he will remain in that place for ten days or not, it is .obligatory that he pray his prayer full

Issue ۴۷۲: The eighth condition: That one arrive at the city limits, meaning that he has gone beyond his city or the place of his (temporary) residence by an amount with which he is not able to hear the sound of the Azaan of the city nor can see its inhabitants. There is no consequence of seeing the walls of the city or not seeing them. However, it is necessary that there not be dust or fog in the atmosphere or something

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.else preventing a sighting or prevents hearing

Disruption of the Journey

Issue ۴۷۳: There are a number of matters disrupting the journey and it is obligatory upon :people to pray one's prayer full, these matters are

First: Arrival at the hometown. Intended by the hometown is the place which people select for residing and living in whether they were born there or not, whether it is the .hometown of their father and mother or it was selected without them

Issue ۴۷۴: When people select a place for their residence when there it is said about them that they are not traveler, whether the intent of residence is permanent or temporary (for example, if one intends to remain there a number of years, that place) is in the ruling of .his hometown

Likewise, are the employees of governmental departments for whom it is possible that they remain in a place a number of years. Then, that place will have the ruling of a .hometown applied upon it for them

Issue ۴۷۵: Sometimes a person resides in places (in other words, he takes two hometowns), for example, he lives in a town for six months and in another town for six months. In this situation, both places will be considered as a hometown for him. Rather, it .is possible that people can take three hometowns for themselves

Issue ۴۷۶: When people have lived in a place and had taken it as a hometown, then, if he abandoned that place (meaning that he does not intend to live there), then, whenever he travels

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to that place to visit his relatives and friends, it is obligatory that he shorten his prayers whether he has property or real estate there or not, whether his relatives live there or .not, except that they intend to reside ten days in that place

Likewise, when people take a place to live other than their original hometown, and remain there six months or more, then, abandon it, they will shorten their prayers there whether .they have property or real estate in that place or not

Issue ۴۷۷: Second: Intending to (temporarily) reside ten days. When a traveler intends to reside in a place ten consecutive days or he knows or he knows that he will be compelled .to stopover there ten days, full (prayers) are obligatory for him

Issue ۴۷۸: The traveler who intends to reside in a place for ten days, it is permissible for him to intend to stay in a number of places with the condition that the places are very close (for example, the distance is a Kilometer or two Kilometers or a few more) such that when he transfers between them, it cannot be said that he is a traveler. Likewise, there is no difference between small cities and large cities. Therefore, the big cities do not differ .from the small cities in the rules of the traveler

Issue ۴۷۹: The traveler who intends to reside in a place ten days, if he intends from the beginning to go to the outskirts of that area during the ten

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days, then, if those outskirts are not very far such that it would be counted as a journey, it is obligatory that he prays full. As for when it such that it will be considered as a journey or part of a journey, it is obligatory for him to shorten his prayer in each of those ten days.

Issue ۴۸۰: When a person intends to reside in a place for ten days, however, there is a probability that a barrier may arise (preventing him) from reaching ten days, then, if people does not weight that probability (in other words, it is not a reasonable probability), it is obligatory upon them to complete the prayers (full). As for when there was a strong probability, they pray shortened.

Issue ۴۸۱: When there was the intention to reside in a place for ten days, then, one's intention is changed or there is doubt in it, then, if that was before praying one four Raka'ah prayer, one will shorten his prayer. If it was after performing one four Raka'ah prayer, it is obligatory to pray one's prayer full as long as he is in that place.

Issue ۴۸۲: Third: To remain in a place for a period of a month without intention. When a traveler stops over in one place and does not know how long the period is that he will be staying there, it is obligatory upon him to shorten his prayers. When, in this condition, he passes one month, it is obligatory upon him

to (pray his prayers) full, although he may remain after that for a short period (although the month is a lunar month which is often less than thirty days, it suffices also, for .(example for the tenth of this month to the tenth of the next month

Miscellaneous issues of Travel

Issue ۴۸۳: The traveler can choose between a shortened or full prayer in four places, they are: Masjidul-Haraam (at the Holy Ka'abah); the Masjid of the Messenger of Allah, the Blessings of Allah be upon him and his family; the Masjid of Kufah and the Harem of the Leader of the Martyrs, Imam Al-Hussain Ibn Ali, peace be upon him. The best manner in .these places is to pray full

There is no difference between the Masjidul-Haraam in the time of the Messenger of Allah, the Blessings of Allah be upon him and his family and the time of pure A'immah. Rather, (it includes) the expansion that has been achieved in it afterward or that which will be achieved in the future. Likewise it is with relation to the Masjid of the Messenger, .the Harem of Imam Hussain and the Masjid of Kufa

Issue ۴۸۴: He who knows that he is a traveler and that his duty in the prayer (is to pray) shortened, then, he prays full intentionally, his prayer is invalid. Likewise, when he forgets that it is obligatory upon a traveler to shorten the prayer, then, prays full, it is obligatory .upon him to repeat it

Likewise it is when one knows the rule

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of the prayer of the traveler and does not pay it attention in the state of traveling and makes the prayer full. As for when he did not originally know that the duty of the traveler is to shorten the prayer and had not ever heard this issue, then if he prays full in the place of shortening (the prayers) his pray is valid.

Issue ۴۸۵: The traveler who knows generally that his duty is to shorten the prayers, when he did not know some of the parts of that (for example, he does not know the conditions of shortening the prayer is that he must travel eight Faraasikh), if he prays full, the precaution is to repeat it shortened.

Issue ۴۸۶: When one forgets that he is a traveler and prays full, then, if he remembers in the time (of the prayer) it is obligatory that he repeat it shortened. If he remembers after the time, he does not remake it.

Issue ۴۸۷: When the pray had passed (without being performed) in a journey, it is obligatory to remake it shortened (whether he intends to remake in the state of traveling or in the state of being in his hometown). In the reverse of that, when the prayer has passed (without being performed) in the hometown, it is obligatory to remake it as a full prayer whether its remake (Qadhaa') is in the state of travel or in the state of his being in the hometown.

Issue ۴۸۸: The rule of the prayer

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of the traveler is not linked to ease or difficulty of travel. Rather, shortening the prayer is obligatory in the prayer even in travels and comfortable journeys of this age when the aforementioned conditions are present.

'The Prayer of Qadhaa

Issue ۴۸۹: When people (do not perform) the obligatory prayer in its time, it is obligatory for them to make it (Qadhaa') although he had be asleep for the entire time of the prayer or the prayer had lapsed in illness or intoxication. As for when (one is unconscious) for the entire time (of the prayer), then, the Qadhaa' is not obligatory. Likewise, the Qadhaa' is not obligatory upon the non-Muslim when he accepts Islam nor upon the woman whose prayers have lapsed in the state o of menstruation (Haidh) and afterbirth bleeding ((Nifaas).

Issue ۴۹۰: He who has the Qadhaa' of a lapsed prayer obligatory upon him, it is obligatory he not negligent nor remiss in performing the Qadhaa'. However, it is not obligatory to make the Qadhaa' immediately, except that the prayer is intended to be prayed before a prayer or two prayers expire before it. Then, the obligatory precaution in this situation is to make the Qadhaa' of the lapsed prayers of that day, then, pray the current prayer.

Issue ۴۹۱: He who has in his duty the Qadhaa' of a lapsed prayer, it is permissible that he perform recommended prayers. There is nothing preventing performing the Qadhaa' of the lapsed prayers before the daily prayers or after them.

Issue ۴۹۲: It Is not obligatory

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to pay heed to the sequence in the Qadhaa' of lapsed prayers except between Zuhr, 'Asr, .Maghrib and 'Ishaa' of one day

Issue ۴۹۳: He who has a number of lapsed prayers and does not know their number, for example, he does not know whether it is two prayers or three prayers, it suffices to perform the minimum amount. As for when he knows of that (range) in what has passed, however, he has forgotten the reason of his negligence, then, the obligatory precaution is .to perform the majority

Issue ۴۹۴: It is permissible for he who has as his duty the Qadhaa' of lapsed prayers for number of preceding days to perform his daily prayers before performing the Qadhaa' of those lapsed prayers except that the lapsed prayers are considered a prayer or two prayers before the current prayer. Then, it is obligatory upon him, according to obligatory .precaution, to perform the lapsed prayers before the current prayer, as you are aware

Issue ۴۹۵: It is recommended to habituate the discerning child (discerning between proper and shameful, and good and evil) with prayer and the remaining acts of worship. Rather, it is recommended to encourage him (to perform) the Qadhaa' of his lapsed prayers (in that it is necessary that he not complete that in a manner bringing pressure upon him and .(leading him to dislike worship

The Obligation of The Qadhaa' for the Lapsed Prayer of the Parents upon the eldest Children

point

Issue ۴۹۶: It is obligatory upon the elders son (meaning the eldest son of the deceased after his death) to make the Qadhaa' of the prayers

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or fasts of his father and mother which have lapsed (without being performed) and they have not lapsed due to their disobedience and (the eldest son) is capable of their Qadhaa' and that is after their death. Rather, (the eldest son) should make the Qadhaa' on their behalf their lapse was due to disobedience, according to recommended precaution. Likewise, the eldest son will make the Qadhaa' of the fasts which they had not made by reason of traveling, if they were not able to make its Qadhaa', according to obligatory .precaution

Issue ۴۹۷: When another person (other than the eldest son) makes the Qadhaa' of those .prayers and fasts (the responsibility) is dropped for the eldest son

Issue ۴۹۸: When the eldest son does not know anything of his fathers or mothers prayers or fasts has lapsed or not, nothing is obligatory upon him. It is not obligatory upon him to .(investigate or explore that (matter

Issue ۴۹۹: When the eldest son has died, nothing is obligatory upon the remaining .children

Issue ۵۰۰: Hiring for the Qadhaa' of prayer and other lapsed worship as a representative of the deceased is not without objection except in the pilgrimage. It is essential for he who intends to hire a person for the Qadhaa' of the worship of another to have the intention of Rijaa' (meaning to performing with the hope and expectation that it will be accepted) and the payment is given under the title of a gift. Regarding performing the lapsed prayers and fasts, and

likewise, the recommended prayers with the intention of Qurbah and without pay, then, .there is no objection in it

Issue ۵٠١: It is permissible for people to hire out themselves for some of the recommended acts, like Ziyaarah to the grave of the Messenger of Allah, the Blessings of Allah be upon him and his family and the pure A'immah, upon them be peace as a representative of a living person. However, the obligatory precaution is that the money and payment is taken as a prerequisite of these acts. As such it is permissible to establish .some of these recommended acts and grant its reward to the deceased or the living

Issue ۵٠٢: It is obligatory the person who undertakes the Qadhaa' of lapsed (worship) on behalf of the deceased be very knowledgeable of the issues of prayer and that his .recitation be proper

Issue ۵٠٣: It is obligatory that he who represents a deceased person in the Qadhaa' of his lapsed (prayers) not be excused (from performing any) part of the prayer or its conditions. Then it is not permissible for he who prays sitting due to his inability to stand to represent anyone. Rather, even he who prays with Tayammum or Jabeerah does not .represent anyone, according to obligatory precaution

Issue ۵٠۴: It is permissible for a man to represent a woman and a woman to represent a man. Each of them will act according to their duty for inaudible and audible recitation in prayer, not in view of the duty of

the deceased. It is not obligatory for the Qadhaa' of the deceased (for one representing him to observe) the sequence (of the prayers) whether he knows of their sequence of does not know, except in the sequence of Zuhr, 'Asr, Maghrib and 'Ishaa' of one day, .then, it is obligatory to observe its sequence, as you are aware

The Prayer of Hire

The Prayer of Congregation

point

Issue ٥٠٥: The prayer of congregation (Salatul-Jamaa'ah) is one of the most important recommended acts and one of the great Islamic ceremonies. Great emphasis of it has come in the traditions and narrations, in particular for he who is a neighbor of the Masjid or hears the Azaan of the Masjid. It is essential for people to pray with the congregation .as far as possible

It has been related in the noble traditions that if one person is led by the Imam (leader) of the congregation, each Raka'ah of prayer has the reward of ١٥٠ prayers. When two are led, each Raka'ah has the reward of ٦٠٠ prayers. Whenever the number of believers increase, the amount of their reward increases. When their number surpasses ten individuals, then, if the sky were paper and the seas were ink and the trees were pens and man, angels and jinn were writing, it would not be possible to count what reward and .recompense there is for one Raka'ah of their prayer

Issue ٥٠٦: Lack of attendance and participation in the congregation is forbidden when that .is due to neglect and lack of care about it

Issue ٥٠٧: It is

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recommended for people to wait until they perform their prayer with the congregation. The prayer of the congregation is more virtuous than the prayer individually in the beginning of the time. Likewise, the brief prayer of the congregation is more virtuous that the prayer individually, although it be lengthy.

Issue ۵۰۸: When the congregation is established, it is recommended for he who had prayed individually to repeat the prayer a second time with the congregation. If he comes to know afterward that his first prayer was invalid, the second prayer will suffice for him.

Issue ۵۰۹: It is not ever permitted to perform the recommended prayers in the form of the congregation, except the prayer for rain (Salatul-Istisqaa') and recommended prayer of 'Eidul-Fitr and 'Eidul-Adhha in the time of the absence of the Imam, upon him be peace.

Issue ۵۱۰: It is permissible in the daily prayers to be led by an Imam in whatever prayer one desires and the likeness between the prayer of the follower and the Imam is not necessary. Then, for example, if the Imam is performing Zuhr and (the follower) had already performed Zuhr, it is permissible that he perform 'Asr with the Imam.

However, when the Imam is repeating his prayer as a precaution, it is permitted (for the follower) to be led by him, except that the two prayers are both alike as far as precaution.

The Conditions of The Prayer of Congregation

Issue ۵۱۱: The observance of some matters are obligatory in the congregation:

The First condition: Lack of a barrier, meaning that there not

be a barrier between the Imam and the followers and, likewise, a barrier between the followers themselves preventing seeing. Even a glass barrier is objectionable. Regarding when the followers are women, then, there is nothing preventing the existence of a barrier between them and the men.

Issue ۵۱۲: The second condition: That the place of standing of the Imam is not higher than the place of standing of the followers, except by a small amount. If the land is sloped and the Imam stands at a higher place, then, nothing prevents that when the slope is not a lot and it is said that it is level ground.

Issue ۵۱۳: There is no objection when the place of standing of the follower is higher than the place of standing of the Imam. For example, when the Imam is in the courtyard of the Masjid and the congregation of worshippers are standing on the balcony or on the roof. However, when it is such that it is not applicable that it is a congregation, the prayer and the congregation is not proper, like the Imam is one the first level and the followers are on a higher level far from the congregation.

Issue ۵۱۴: The third condition: That there not be a great distance between the Imam and the followers and between the followers themselves. As for when the space is a foot or a number of feet such that the title of congregation is applied to it, there is nothing preventing that.

According to

this, if there is a empty space in the amount of a person or two persons not praying between the followers, it does not harm the congregation. However, it is recommended .that the rows be joined together and connected

Issue ۵۱۵: The fourth condition: That the followers not be ahead of the Imam in the place of standing. According to this, when the followers are ahead of the Imam in the beginning of the congregation or during it, the congregation is invalid. The precaution is that the two (meaning the Imam and the followers) also not be equal, rather, the followers should be behind a little. It is obligatory to observe this being behind in all of the states of the prayer, .even in the Rukoo' and prostration

The Rules of The Prayer of Congregation

Issue ۵۱۶: When the followers know that the prayer of the Imam is invalid with certainty (like they know that the Imam does not have Wudhu' for example), it is not permissible for them to be led by him, although the Imam had not paid attention to it himself. As for when the followers come to know after the prayer that the Imam was not just or was a .non-Muslim, God forbid, or his prayer was invalid, the prayer of the followers is valid

Issue ۵۱۷: It is not permissible to separate from the congregation during the prayer (and the prayer is an individual prayer) without an excuse, whether it be determined to do that .action from the beginning or determined during the prayer

:Issue ۵۱۸

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When a congregation is led and the Imam is in the state of bowing and the follower bows and joins the Imam in Rukoo', (the followers) prayer is proper whether they have already performed the Zikr of Rukoo' or not. It is counted as the first Raka'ah for (the follower). As for when he was not able to join the Imam in Rukoo', he should complete his prayer individually. The obligatory precaution is to repeat the prayer. Likewise is it when one has .doubt as to whether he had joined the Imam in Rukoo' or not

Issue ۵۱۹: In the last Raka'ah (not the first), it is also obligatory that one join the Imam in .Rukoo', otherwise, his being in congregation is objectionable

Issue ۵۲۰: When the congregation is led and the Imam is in Rukoo' and before (the follower) bends in the amount of Rukoo', the Imam raises from his Rukoo', it is obligatory that (the follower) make the intention of the individual (prayer) and his prayer is proper .and he does not need to repeat it

Issue ۵۲۱: When one is being led by the Imam in the second Raka'ah, make Qunoot and Tashahhud with the Imam. The precaution is to assume the state of sitting on the heels at the time of Tashahhud (in other words, to raise the knees from the floor and place the .(fingers of the hands and the soles of the feet on the ground only

After making the Tashahhud, stand and recite Surah Al-Hamd and the

second Surah. When the time is not sufficient for recitation of the second Surah, recitation '.of Al-Hamd will suffice in order to join the Imam in the Rukoo

Issue ۵۲۲: When being led by the Imam and (the follower) is in the second Raka'ah, it is obligatory in his second Raka'ah which is the third Raka'ah of the Imam, to sit after the two prostrations and make the Tashahhud in the obligatory amount and stand immediately and connect himself with the Imam. If the time is not sufficient for recitation of the Tasbeehaatul-Arba' three times, it can be recited once and connect himself with '.the Imam in Rukoo

Issue ۵۲۳: When being led by the Imam (who is) in the third and fourth Raka'ah, it is obligatory (for the follower) to recite Al-Hamd and the second Surah (after joining the congregation late). When the time is not sufficient for the second Surah, recite Surah Al-'.Hamd only and connect oneself with the Imam in Rukoo

Issue ۵۲۴: When one is engaged in a obligatory prayer and the congregation (prayer) is established, then, if one has not entered into the third Raka'ah and fears that if he completes his prayer that he will not be able to connect with the congregation, he can change his intention to a recommended prayer and complete it in two Raka'ah, then, .connect himself to the congregation

The Conditions of The Imam of The Congregation

Issue ۵۲۵: It is obligatory that the Imam of the congregation be mature (Baaligh); sane ;('Aaqil); just ('Aadil); legitimately born (Tayyibul-Walaadah); Shi'ah Ithna 'Ashari

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that his recitation be proper and when the followers are men, that it is obligatory that the Imam be a man also. However, there is nothing preventing the leading of women by a woman. All people are legitimately born, whether they be Muslim or non-Muslim except .that (information) contrary to that is established

Issue ٥٢٦: Being just ('Adaalah) is the inner fear of Allah and the mental disposition that prevents man from committing the major sins and persisting in the minor sins. It suffices in establishing the 'Adaalah of an individual that we associate with him and we do not see any disobedience from him. This is what is called the good appearance revealing the inner .disposition

Issue ٥٢٧: When the Imam prays with Tayammum or Wudhu' Jabeerah (meaning Wudhu' made with a bandage or cast), it is permissible to be led by him. However, when he prays in impure clothing due to an excuse in an emergency, one cannot be led by him, according .to obligatory precaution

Likewise is the person with urinary or gastronomic ailments, and as such, the woman having irregular bleeding (Istihaadhah). In general circumstances, each of them prays a defective prayer due to an excuse and it is not a right for them to lead others according to obligatory precaution, except in the situation of the prayer with Tayammum or the Jabeerah. As such, it is permissible for he who has a defect in some of his limbs he .prostrates upon to lead the congregation

The Rules of The Congregation

Issue ٥٢٨: It is

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obligatory upon the follow to distinguish the Imam in their intention. However, it is not obligatory that they know his name, rather, it suffices that they make the intention to be led by the attending Imam with the condition that 'Adaalah and the remaining .perspectives are present

Issue ۵۲۹: It is obligatory upon the followers to perform all the Zikr and actions of the prayer besides (the recitation) of Al-Hamd and the second Surah. Surah Al-Hamd and the second Surah are dropped (as a duty) when one prays with the Imam in the first and second Raka'ah. As for when one is led by the Imam in the third and fourth Raka'ah in the state of the standing of the Imam, then, it is obligatory upon the follower to recite Surah .Al-Hamd and the second Surah himself

Issue ۵۳۰: When the followers hear the sound of the recitation of the Imam in Salatul-Fajr, Maghrib and 'Ishaa', it is obligatory that they abandon the recitation of Surah Al-Hamd and the second Surah. When they cannot hear the sound of the Imam, it is permissible for them to recite Al-Hamd and the second Surah, however, inaudible recitation is obligatory upon them for both (Surahs). As for Salatuz-Zuhr and 'Asr, then, the obligatory precaution is to always abandon the recitation of Al-Hamd and the second Surah. However, Zikr is .permissible in a inaudible voice, rather, it is recommended

Issue ۵۳۱: It is obligatory upon the follower that he not precede the Imam in the actions of

prayer, like bowing and prostrating. Rather, he follows the Imam in (these actions) and delay after him a little. When he inadvertently precedes the Imam in raising the head from Rukoo', it is obligatory for him to return to Rukoo' and raise his head with the Imam. Here, the addition of the Rukoo' does not invalidate the prayer. However, when he is returning to Rukoo' and before he arrives at Rukoo', the Imam raises his head, his prayer .is invalid

Issue ۵۳۲: When the follower raises his head from the prostration in the assumption that the Imam had already raised his head from the prostration, it is obligatory to prostrate a second time. When something similar to this occurs in both prostrations, this addition in .the pillar (Rukn) does not invalidate the prayer

The Prayer of Signs

point

:Issue ۵۳۳: The prayer of signs (Salatul-Ayaat) is obligatory in four instances

- First and Second: Eclipse of the sun and eclipse of the moon, although the eclipse be partial whether anyone is afraid or not.
- Third: Earthquake, whether anyone is afraid or not.
- Fourth: Lightening, black and red winds and every frightful heavenly events when the majority of people are afraid. Rather, all frightful earthly events also when they bring about eeriness and the majority of people are afraid, according to obligatory precaution.

Issue ۵۳۴: When the time of the event which necessitates the prayer of the sign is repeated, it is obligatory to perform this prayer for each one of (these events), like an earthquake occurring a number of

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times or the sun eclipses and an earthquake occurs at one time, a prayer is obligatory for .each one of these events

However, when these events occur another time during the prayer of signs, one prayer of .signs suffices

Issue ۵۳۵: When one comes to know that there was a complete solar or lunar eclipse after completion of the time, the Qadhaa' of the prayer of signs is obligatory. As for when it was .not complete, then, the Qadhaa' is not obligatory

Issue ۵۳۶: When one is informed that the sun or moon was eclipsed, but certainty of that is not obtained and one had not prayed, then, it became clear after that the report was correct, if the solar or lunar eclipse was complete, the Qadhaa' of the prayer of signs is .obligatory. When it was not complete, nothing is obligatory

The Method of The Prayer of Signs

Issue ۵۳۷: The prayer of signs is considered two Raka'ah and for each Raka'ah there are :five Rukoo'. It is possible to perform it in two ways

To make the Takbeer after intention and recite Surah and a second complete Surah. (۱ Then, bow in Rukoo', then, stand from Rukoo' and recite Al-Hamd and complete Surah. Then, bow in Rukoo' and stand from Rukoo' and recite Al-Hamd and a complete Surah until (this has been done) five times. Then, after that raise the head from the fifth Rukoo' and prostrate two prostrations, then, stand for the second Raka'ah as what had been .done for the first Raka'ah, then, make the Tashahhud and Salaam

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After making the intention, make the Takbeer and recite Al-Hamd and divide the verses of a Surah into five parts. Then, recite one part and bow in Rukoo', then, stand. Then, recite the second part, then, bow in Rukoo', then, stand as such until the five parts are finished before the fifth Rukoo' without Al-Hamd. After the fifth Rukoo', prostrate two prostrations, then, stand for the second Raka'ah and do the same as had been done in the first Raka'ah completely.

For example, divide Surah Ikhlaas (۱۱۲) into five parts, then, recite before the first Rukoo':

بِسْمِ اللهِ الرَّحْمنِ الرَّحِيمِ

Then, bow in Rukoo', then, raise the head and recite:

قُلْ هُوَ اللَّهُ أَحَدٌ

Then, bow in Rukoo', then, raise the head and recite:

اللَّهُ الصَّمَدُ

Then, bow in Rukoo', then, raise the head and recite:

لَمْ يَلِدْ وَلَمْ يُولَدْ

Then, bow in Rukoo', then, raise the head and recite:

وَلَمْ يَكُن لَّهُ كُفُوًا أَحَدٌ

After raising the head from (the fifth) Rukoo', prostrate the two prostrations, then, stand and do in the second Raka'ah the same as what had been done in the first Raka'ah and make the Tashahhud and the Salaam.

Issue ۵۳۸: Nothing prevents one from performing the first Raka'ah of the prayer of signs according to the first method and the second Raka'ah according to the second method.

Issue ۵۳۹: All of what is obligatory or recommended in the daily prayers are obligatory or recommended in the prayer of signs. Certainly, there is no Azaan or Iqaamah and one says in its place in expectation of reward الصَلاه

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.As-Salah) three times)

'.Issue ۵۴۰: The Qunoot is recommended before the tenth Rukoo

Issue ۵۴۱: When there is doubt in the number of Raka'ah and one does not know how many he has prayed and is not able to arrive at anything (as a solution), the prayer is .invalid

As for when there is doubt in the number of Rukoo', base (the number) on the minimum. If the place has been passed, meaning one has entered into the prostration, no attention is .(paid (to the doubt

The Prayer of 'Eidul-Fitr and 'Eidul-Adhha

Issue ۵۴۲: This prayer is obligatory in the time of the presence of the Imam (upon him be peace) and it is obligatory to perform it in congregation. However, in this our time, whereas the Imam, upon him be peace is absent, then, it is recommended and it is .permissible to pray it in congregation or individually

Issue ۵۴۳: The time of the prayer of 'Eidul-Fitr and Adhha is from the beginning of the rising of the sun on the day of 'Eid until Zuhr. However, it is recommended in the 'Eid of .(Adhha to pray this prayer after the sun has risen (highly

It is recommended in the 'Eid of Fitr to have food after the rising of the sun, first, then, .pay the Zakatul-Fitr, then, perform the prayer of 'Eid

Issue ۵۴۴: The prayer of the 'Eid of Fitr and Adhha are two Raka'ah. In the first Raka'ah, it is obligatory after the recitation of Al-Hamd and a second Surah to make five Takbeer and to make a Qunoot

after each Takbeer. Make the Takbeer after the fifth Qunoot, then, bow in Rukoo', then, .prostrate the two prostrations, then, stand

In the second Raka'ah, make four Takbeer and make a Qunoot after a Takbeer and make the fifth Takbeer, then, bow in Rukoo'. Then, afterward, raise one's head from Rukoo' and .prostrate the prostrations and make the Tashahhud and Salaam

Issue ۵۴۵: It suffices in the Qunoot of this prayer to recite what one desire as a supplication. However, it is appropriate to recite this supplication with the intent of :reward

اللّهُمّ أَهْلَ الْكِبْرِيَاءِ وَالْعَظَمَهِ،

وَأَهْلَ الْجُودِ وَالْجَبَرُوتِ،

وَأَهْلَ الْعَفْوِ وَالرّحْمَهِ،

وَأَهْلَ التّقْوَى وَالْمَغْفِرَهِ،

أَسْأَلُكَ بِحَقّ هذَا الْيَوْمِ الّذِى جَعَلْتَهُ لِلْمُسْلِمِينَ عِيداً،

وَلِمُحَمّدٍ صَلّى اللهُ عَلَيْهِ وَآلِه ذُخْراً وَمَزِيداً

أَنْ تُصَلّىَ عَلَى مُحَمّدٍ وآلِ مُحَمّدٍ

وَأَنْ تُدْخِلَنِى فِى كُلّ خَيْرٍ أَدْخَلْتَ فِيهِ مُحَمّداً

وآلَ مُحَمّدٍ،

وَأَنْ تُخْرِجَنِى مِنْ كُلّ سُوءٍ أَخْرَجْتَ مِنْهُ مُحَمّداً

وآلَ مُحَمّدٍ

صَلَوَاتُكَ عَلَيْهِ وَعَلَيْهِمْ.

اللّهُمّ إِنّى أَسْأَلُكَ خَيْرَ مَا سَأَلَكَ عِبَادُكَ الصَّالِحُونَ،

وَأَعُوذُ بِكَ مِمَّا اسْتَعَاذَ مِنْهُ عِبَادُكَ الصَّالِحُونَ.

The Rules of Fasting

The Obligation of Fasting

Issue ۵۴۶: In every year it is obligatory for each adult to fast one month of blessed .Ramadhaan with the explanations that will be mentioned in the up coming issues

Issue ۵۴۷: Fasting is that to which God has commanded man for obedience to restrain from those things which invalidate the fast, from the Azaan of the morning prayer (Fajr) .until evening prayer (Maghrib). The explanation of which is coming in the following issues

The obligatory matters of fasting

Issue ۵۴۸: Fasting is one of the types of worship and it is necessary to perform it with intention (Niyyah). The occurrence of intention does not require that it

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be spoken by the tongue or be settled in one's heart. This intention is sufficed in any measure by which one leaves the actions that invalidate the fast from the Azaan of morning prayer to evening prayer in order to obey the command of God.

Issue ۵۴۹: It suffices that each evening in the blessed month of Ramadhaan that the intention of fasting be made. However, it is better, in addition to this, that in the beginning of the month, the intention for fasting the whole month is also made.

Issue ۵۵۰: Intention does not have a specific time, rather, any time intention is made before the Azaan of morning prayer is sufficient. This (making of intention) is that for eating the Suhoor (light morning meal before beginning the fast) one rises (from bed) and if he is asked what's your purpose (in rising)? He says: I have the intention of fasting.

Issue ۵۵۱: The time of intention for a recommended fast continues the entire day even if a brief time remains until Maghrib. As long as actions which invalidate the fast are not performed, he is able to make the intention of a recommended fast and his fast is correct.

Issue ۵۵۲: The person who is obligated to perform a missed fast (Qadhaa') of the month of Ramadhaan or another obligatory fast which he is liable for, making a recommended fast is not permitted. If he had forgotten and made a recommended fast, if in the case he comes to remember before Zuhr

noon), he is able to make his intention for an obligatory fast. However, if it is after Zuhr,) .his fast is invalid

Issue ۵۵۳: A person who has taken a payment to perform the fast of a person who is .deceased, he is able to perform a recommended fast for himself

Issue ۵۵۴: Anytime a non-specific (Ghair-e-Mu'ayyin) obligatory fast is his duty, for example the Qadhaa' of the month of Ramadhaan or the fast of a Kaffaarah, the time of intention remains until Zuhr. Meaning, in the event, he had not done anything which .invalidates the fast and before Zuhr he makes the intention, his fast is correct

Issue ۵۵۵: The day of doubt (Yaum Ash-Shakk), meaning a day that people have doubt that it is the end of the month of Sha'baan or the beginning of the month of Ramadhaan, that fast is not obligatory. If one desires to fast, he must make the intention of the month of Sha'baan or if he has a Qadhaa' fast as his duty, he makes the intention of Qadhaa'. In the event that it had become known afterward to be the month of Ramadhaan, he counts (this fast as one of the fasts) of Ramadhaan. However, if during the day he comes to know (it is Ramadhaan), he must immediately change his intention to the fast of the .month of Ramadhaan

Actions which render the fast invalid

point

:Issue ۵۵۶: Actions which render the fast invalid, according to precaution, as nine things

- Eating and drinking
- intercourse
- masturbation
- ,lying on God

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(the Prophet (S) and the Imams (AS

- allowing thick dust to reach the throat
- immersing the entire head in water
- remaining in the state of ritual impurity or menstruation or the bleeding of childbirth until the Azaan
- of the morning prayer
- taking a fluid enema
- .intentionally vomiting

.God willing, the explanation of these issues will be explained

Eating and Drinking (١

Eating and drinking intentionally renders the fast invalid, whether eating familiar things, like bread and water, or unfamiliar things like the bark of a tree, be it of small quantity or large. Even if a toothbrush is taken out of the mouth and again entered into the mouth and that moisture is swallowed, his fast becomes invalid except if that moisture of the .toothbrush is little and goes in with the water of the mouth

Issue ٥٥٨: Eating and drinking inadvertently and in forgetfulness does not invalidate the .fast

Issue ٥٥٩: Obligatory precaution is that the fasting person restrains himself from injections and serums which are used in place of food and medicine. However, injections .that are given in the limbs to numb the feelings, there is no objection

Issue ٥٦٠: People are not able to, with fear of weakness, to ruin their fasts. However, if finds a degree of weakness which it brings causes him great difficulty, he is able to break .his fast. In this same manner if he has fear of illness

Intercourse (٢

Issue ٥٦١: Intercourse (Jimaa') renders the fast of both sides invalid although penetration

was only in the amount up

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to the place of circumcision and semen had also not emerged. If it is less than that and also no semen has emerged the fast is not invalid. In the case of doubt that this measure .had be penetrated or not his fast is correct

Issue ۵۶۲: If by way of forgetfulness intercourse occurs or by way of compulsion in a manner of having no choice, the fast is not invalidated. However, in the event that during the intercourse it is remembered or the compulsion becomes eliminated, the intercourse .must be left immediately, otherwise, his fast is invalid

Masturbation (۳

Issue ۵۶۳: If a fasting person by his own actions caused semen to emerge from himself, his fast becomes invalidated. Regarding if involuntarily in the state of sleeping or .wakefulness semen emerges, the fast is not invalidated

Issue ۵۶۴: Whenever a fasting person knows that if in the day he sleeps he will have a wet dream, meaning in sleep semen emerges from him, it is permissible for him to sleep. In .the event he has a wet dream, there is no objection to his fast

Issue ۵۶۵: If a fasting person, without intention, had semen emerge for example their mate were playing and jesting in circumstances that are customary that in this amount of playing and jesting semen does not emerge from him, his fast is correct. However, if coincidentally, semen emerged, his fast has some objection. Except that before this, he .was certain that semen had not emerged from him

To tell a lie against God and the Messenger(۴

Issue ۵۶۶: Whenever a fasting

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person tells a lie against God and the Noble Messenger and his infallible successors (AS) whether it is attributed by saying or by writing or by indication and similar to that, according to obligatory precaution, his fast is invalid, although he immediately made penance. Lying against the remaining prophets and Fatimah-e-Zahra (AS) also has the same ruling.

Issue ۵۶۷: Whenever a report is desired to be transmitted be it right or false that does not have information, it is necessary to mention the person whom that report is related or a book in which it was written. For example, so and so is the narrator of this same report or in so and so's book that very report has been written that the Prophet (S) has stated.

Allowing thick dust to reach the throat (۵

Issue ۵۶۸: Allowing thick dust to reach the throat whenever it is changed to slime and is swallowed, the fast is invalidated. In other circumstances than these, the fast is correct whether it be the smoke of something whose eating is lawful, for example flour or the smoke of something whose eating is unlawful.

Issue ۵۶۹: Whenever, by means of wind or sweeping the ground, thick smoke rises and caution is not taken that the traces are reaching the throat, his fast becomes invalid (in explanation of that which has been said in the issue before).

Issue ۵۷۰: The obligatory precaution is that the fasting person refrain from cigars and tobacco and remaining tobacco products and thick steam also should not reach the throat. However, going to

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the bath house has no objection whenever the space of the bath house is filled with the .steam

Immersing the head in water (۶

Issue ۵۷۱: According to obligatory precaution, the fasting person does not intentionally immerse his entire head under water, even if the remainder of his body is out of the water. Regarding is the whole body and a part of the head has gone under water, however, a portion of the head out of the water, the fast is not invalid. The immersion of .the head in any fluid like rosewater or other mixed waters have the ruling of pure water

Issue ۵۷۲: A person that for the saving of a drowning person is compelled to immerse the head in water, his fast has some objection. However, on the pretext of saving a Muslim' .soul, this action is obligatory and afterward Qadhaa' is made

Issue ۵۷۳: Divers, if they cover their heads in a headcovering and with that they go under .water, their fasts are correct

Issue ۵۷۴: If a fasting person involuntarily falls in the water or his is thrown into the water and his head goes under water or he forgets that he is fasting and his head is immersed in the water, his fast is not invalidated. However, if he remembers, according to obligatory .precaution, it is necessary to immediately remove the head from the water

Remaining ritually impure until the Azaan of morning prayer (۷

Issue ۵۷۵: If a ritually impure (Junub) person intentionally does not bathe until the morning, according to obligatory precaution, his fast is invalid. If he does not have the

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ability to bathe or the time is limited, he makes Tayammum. Regarding if it was not intentional, his fast is correct. Women who do not become purified from menstruation (Haidh) or the bleeding of child birth (Nifaas) until the Azaan of morning prayer and not bathing are in the ruling of a person who remains in the state of ritual impurity.

Issue ۵۷۶: The fast becomes invalid with remembering remaining in ritual impurity, particularly the fast of the month of Ramadhaan and the Qadhaa' of Ramadhaan. In other fasts, the obligation does not become invalidated.

Issue ۵۷۷: If the Junub in the month of Ramadhaan forgot a bath and after one or a number of days his memory comes to him, it is necessary that however many days he is certain he had been Junub he makes Qadhaa'. For example, if he does not know for three or four days he had been Junub, it is necessary to make Qadhaa' for three days and the Qadhaa' of the forth day is a recommended precaution.

Issue ۵۷۸: A person who is Junub in the night of the month of Ramadhaan and he knows that if he sleeps until morning he will not wake up, he must not sleep. In the event he sleeps and does not wake up, his fast has some objection. According to obligatory precaution, he must perform Qadhaa' and Kaffaarah. Regarding if he has a probability of awakening, he is permitted to sleep. Regarding the precaution in this is that in

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.the second instance that he awakens, he does not sleep until the he bathes

Issue ۵۷۹: Whenever, in the month of Ramadhaan he wakes up after the Azaan of morning prayer and sees that he had a wet dream, his fast is correct whether he knows .before the Azaan he had a wet dream or after that or he has doubt

Issue ۵۸۰: A woman which is in the state of Istihaadhah, she performs her bath according .to the details mentioned in the rulings of Istihaadhah and her fast will be correct

Issue ۵۸۱: A person who has touched a dead person and the bath of touching a dead became obligatory, he is able, without the bath of touching a dead, to fast. If in the state of fasting he touches a dead body, his fast is not invalidated. However, for prayer he is .required to bathe

Enema with fluids (۸

Issue ۵۸۲: The purging enema with fluids renders the fast invalid although for treatment of a sick person or being helpless. However using the solid enema for treatment has no .objection. The obligatory precaution is to avoid the solid enema used as a food

Vomiting (۹

Issue ۵۸۳: Vomiting intentionally renders the fast invalid, although it is for salvation from poisons or remedy for an illness and things similar to that. However, vomiting involuntarily .or inadvertently does not invalidate the fast

Issue ۵۸۴: Whenever one of the nine matters previously mentioned are performed inadvertently or involuntarily, the fast is correct. However, if the Junub sleeps and until the Azaan of morning

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prayer does not bathe, his fast has some objection, according to that which had been .previously stated

Issue ۵۸۵: If a fasting person inadvertently performs one of the actions which the fast invalid, and afterward, in the belief that his fast is invalid, he performs one of those acts intentionally a second time, his fast is not invalidated, however, the recommended .precaution is Qadhaa' of that fast

Issue ۵۸۶: If someone forced something into the throat of a fasting person or they put his head underwater, his fast is not invalidated. However, if there is compulsion for him that he breaks the fast himself, for example, they say to him: if you don't eat your life will be harmed or we will take your property and in order to prevent harm he ate food, is fast is .invalid

Actions Which are Makrooh for the Fasting Person

Issue ۵۸۷: A number of actions are Makrooh (disliked) for the fasting person, among them :are

- Mixing medicine in the eye
- applying Khol in a manner that the taste or smell of that enters into the throat
- performing an action which causes weakness such as extracting blood and going to the bath house
- using snuff if it is not known that it will reach the throat , however, if he knows it will reach the throat, it is not allowed
- smelling fragrant flowers
- a woman sitting in water, according to precaution
- using a solid enema, according to precaution
- wetting the clothes on the body
- pulling teeth and every action that is a cause for blood

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emerging from the mouth and brings about weakness

(brushing (the teeth) with a new piece of wood (Miswak•

kissing the mate without intending the emergence of semen and every action whose• .movement produces desire

Regarding if (these actions are done) with the intention of allowing semen to emerge, the .fast is invalidated

Instances in which the Qadhaa' and Kaffaarah are Obligatory

point

Issue ٥٨٨: Actions which render the fast invalid, if they are performed intentionally and with knowledge and information. In addition to this that his fast becomes invalid and he has Qadhaa' (as a duty) and he has Kaffaarah also. However, if were that he did not know the issue, he does have (the duty of) Kaffaarah, however, the precaution of that is to .'make Qadhaa

Issue ٥٨٩: Whenever, by means of lack of information and not knowing an issue, an action is performed that is known to be unlawful, however, he does not know that it will .invalidate the fast, according to precaution, the Kaffaarah is obligatory upon him

The Kaffaarah of Fasting

Issue ٥٩٠: The Kaffaarah of fasting is one of three things: freeing a slave or two months fasting or feeding sixty indigents fully. Or if for each, one Mudd, which is approximately ٧٥٠ grams of wheat or barley or something similar to that, is given, it is sufficient. In our time, in which freeing a slave has no place, the choice is between the two other things. In .place of wheat, he is able to give the amount of bread the measure of which is one Mudd

Issue ٥٩١: Whenever neither one of these

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three actions are not possible he is, however, able to give a Mudd to feed the indigent. If he is unable eighteen days of fasting are required. If he is, however, unable, he is able to perform the fast one day. If he is unable (to do so), he seeks forgiveness in the measure that in the heart he says: I seek Allah's forgiveness, it is sufficient. It is not obligatory .afterward that he find the quantity to give the Kaffaarah

Issue ۵۹۲: A person who selected sixty days for Kaffaarah, the obligatory precaution is that he fast ۳۱ consecutive days. However, observing the consectutiveness when one's .duty is ۱۸ days is not obligatory

Issue ۵۹۳: If a fasting person rendered his fast invalid with something unlawful, according to obligatory precaution, he must give all of the Kaffaarah. Meaning freeing a slave, also two months of fasting and also fully feeding sixty indigents (or feeding each one of them with a Mudd of food of approximately ۷۵۰ grams weight. In the case each three are not possible, each one which is possible must be performed (although the unlawful thing, like drinking alcohol and fornication or like having intercourse with one's own mate in .menstruation

Issue ۵۹۴: If a vow (Nazr) is made a specified fast, for the sake of God is to be made, in the event that the fast is not made intentionally or the fast is made invalid, the Kaffaarah is required to be given (and the Kaffaarah of that is

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.(like the Kaffaarah of the month of Ramadhaan

Issue ٥٩٥: Whenever the saying of someone that dependency upon his words is not acceptable and he says it has become Maghrib and break the fast and afterward it is .understood it had not become Maghrib, Qadhaa' and Kaffaarah is obligatory upon him

Issue ٥٩٦: Whenever a fasting person, in the month of Ramadhaan has intercourse with his fasting wife, in the case where she was forced, it is necessary for him to give the Kaffaarah on behalf of both. If she had been agreed with the intercourse, the Kaffaarah is obligatory on each one. However, If another compelled them to break the fast, a sin has been committed. Regarding the Kaffaarah upon each one, it is not obligatory. Regarding .'the person whom his fast had been ruined, he is required to make Qadhaa

Instances in which only qadha is required

Issue ٥٩٧: In a few circumstances only the Qadhaa' of the fast is required and Kaffaarah is .not obligatory

In the circumstance that in the night of the month of Ramadhaan one is Junub and .١ sleeps and awakens. For a second or third time, he sleeps and does not awaken. In that situation, the Qadhaa' of the fast it is an obligatory precaution. As for the first sleeping, if .he does not awaken, he has no Kaffaarah and his fast is correct

Whenever an action which makes the fast invalid is not performed, but there had been .٢ no intention to fast or the intention is made to ruin his own fast

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.or by eye service the fast becomes invalid

Whenever, in the month of Ramadhaan, the bath of Janaabah is forgotten and in that .٣ same state, fasts for one or more days, according to obligatory precaution.

In the month of Ramadhaan, without verification that it had become morning or not, an .۴ action which invalidates the fast was performed, after having known it had become morning, in the same manner if after verifying, there was doubt or belief the it had become morning, but after verifying, certainty was gained that it had not become morning, and nothing was eaten after knowing it had become morning, Qadhaa' is not .obligatory

Whenever a person says that it had not become morning and time yet remains and a .۵ person, according to his saying, performs an action invalidating the fast and after .knowing it had become morning, there also, the Qadhaa' is required

A person says it had become morning and a person does not gain certainty by his .۶ saying or he imagines or jokes and an action which invalidates the fast is performed after .being known it had become morning

Whenever a just person gives a report of it having become Maghrib and he breaks the .٧ .fast, afterward it had become known it had not become Maghrib

Whenever in clear skies certainty is gained that it had become Maghrib by means of .٨ darkness and the fast is broken, afterward it became known that it had not become .Maghrib

Whenever for refreshment or without intention, water .٩

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is put in the mouth and involuntarily it is swallowed, Qadhaa' is necessary. As for if it had be forgotten there is a fast (being observed) and water is swallowed, he has no Qadhaa'. Likewise, if for Wudhu' water is put in the mouth and involuntarily it becomes swallowed, .Qadhaa' is not obligatory for him

A person who is playing with his wife and without intention he masturbates and semen .١٠ emerges from him, however, if he had certainty that by this action semen would not .'emerge and by coincidence it emerged, his fast is proper and he does not have Qadhaa

Rules of the Qadha Fast

Issue ٥٩٨: Whenever, by means of illness, the fast of the month of Ramadhaan is not performed and the illness becomes lengthy until the month of Ramadhan of the following year, the fasts which he had not performed are not obligatory. It is only required to give one Mudd (approximately ٧٥٠ Grams) of wheat or Barley and things similar to that to an indigent. If by means of another excuse (for example, for the sake of traveling) the fast had not been performed and his excuse remained until the following Ramadhan, the obligatory precaution for that is that the fasts which he had not performed, he makes Qadhaa' after Ramadhaan and for each day he gives one Mudd of food to an indigent. Likewise, if the fast had been abandoned for fear of illness, after the illness had been removed and another excuse, for example, traveling has come forward.

:Issue ٥٩٩

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Whenever, by means of an excuse, fasts of the month of Ramadhaan are not performed and until the next Ramadhaan the Qadhaa’ of that had intentionally not been intended and he in a situation in which his excuse had been removed, it is required afterward to make the Qadhaa’ of the fasts and for each day, one Mudd of food is given as a Kaffaarah. Likewise, if in the Qadhaa’ of the fast, there is a short time until the time becomes restricted and in the restricted time an excuse appears, it becomes necessary afterward to perform the same Qadhaa’ and Kaffaarah. Regarding if it had not become a short time or it coincided with the restricted time that an excuse appeared, only Qadhaa’ .is required

Rules of fasting of a traveling person

Issue ۶۰۰: A traveling person (having the conditions which have been mentioned in the issues of the traveler's prayers) is not required to fast. As a general rule, in every instance that the prayer is shorted, the fast is required to be abandoned. In the place where the prayer is required to be prayed in full (for example, a person that his occupation is traveling or he intends to stay in a place for ten days) he is required to fast, except in .instances which have been mentioned in other instances

Issue ۶۰۱: Traveling in the month of Ramadhaan is not forbidden. However, if it is for .escaping fasting, it is Makrooh

Issue ۶۰۲: Whenever a fasting person undertakes a journey after Zuhr, he is required to

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complete his fast. If he undertakes a journey before Zuhr, his fast is invalid. However, before he arrives at the limit of the border, he is not able to break the fast. If he had broken his fast before that, Kaffaarah is obligatory for him. The intention of limit of the boarder is the place where the sound of the Azaan of the town is not heard or the place .where he arrives that the people of the town are hidden from view

Issue ۶۰۳: Whenever, a traveler arrives before Zuhr to his city or to a place which he intends to stay for ten days and any action which renders the fast invalid had not been performed, he is required to fast. If something (invalidating the fast) had been performed, Qadhaa' is required afterward. It is Mustahabb to remain that day abstaining. However, if .after Zuhr he arrives he is not able to fast

Persons upon whom fasting is not obligatory

Issue ۶۰۴: Elderly men and women whom fasting is difficult for them, they are able to abandon fasting. However, they are required to give one Mudd (Approximately ۷۵۰ Grams) of wheat or barley and similar to these to an indigent. It is better that in the place of wheat and barley, bread is selected. In this situation, the obligatory precaution of this is .that it is in the measure of wheat is in the quantity of one Mudd

Issue ۶۰۵: The fast of persons who are inflicted with the illness of hydropsy, meaning they become excessively thirsty and

they are not able to fast or it is extremely difficult for them, it is not obligatory. However, for each day one Mudd of food, which is indicated in the previous issue, is given as a Kaffaarah. It is better that water is not drank in more than the quantity of necessity. If, afterward, they are able to make the Qadhaa', the obligatory precaution is to perform the .'Qadhaa

Issue ۶۰۶: A pregnant woman who is close to delivery and fasting has injury to the pregnancy, fasting for her is not obligatory. However, the Kaffaarah mentioned in the previous issue is required to be given. Regarding if the fast is injurious to her, it is not .'obligatory for her and she also has no Kaffaarah. Afterward, she makes Qadhaa

Issue ۶۰۷: Women who are (breast) feeding a child milk, whether they be the mother of the child or a wet nurse. If fasting is reason of her insufficient milk and the child becomes bothered, the fast is not obligatory upon her. However, for each day, the same Kaffaarah (one Mudd of food) is obligatory and afterward also the Qadhaa' of the fast is required. Regarding, that if for themselves fasting is injurious, no fasting is obligatory nor any Kaffaarah. However, it is required afterward that the fasts which were not performed, .the Qadhaa' is performed

The method of Establishing the Beginning of the Month

:Issue ۶۰۸: The beginning of the month is established by six methods

Sighting the moon with the eye. Regarding (sighting) with a telescope and other means .۱ of this

.kind, it does not suffice

The witness of a large number that from the statements of them certainty becomes .۲ .apparent (although they are not just). Likewise is all that brings about certainty

The witness of two just males. However, if these two witnesses differ from one another .۳ in mentioning the description of the moon or the signs which they give are ambiguous, .their statements do not establish the beginning of the month

The passing of thirty complete days from the beginning of the month of Sha'baan with .۴ which the beginning of the month of Ramadhaan can become established. Or the passing of thirty complete days from the beginning of the month of Ramadhaan with which the beginning of the month of Shawwal can become established. (of course, this is in the situation that the beginning of the previous month has complied with this same method of .becoming established

The ruling of the Religious Jurist. In this situation, it is for the just Mujtahid to establish .۵ the beginning of the month. Afterward, he makes a ruling that that day is the beginning of the month. In this situation, following is required for everyone, except a person who has .certainty that he has made a mistake

The forbidden Fasts

Issue ۶۰۹: Two days in the year, fasting is forbidden: Eidul-Fitr (the beginning of the month .(of Shawwal) and Eidul-Qurbaani (the tenth of the month of Zil-Hijjah

Issue ۶۱۰: The fasting of a woman (Mustahabb Fast) in the situation which the rights of her husband are ruined. Without

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his permission, it is not permissible. If his right is not ruined, (according to obligation precaution) also the permission of the husband is required. Likewise, the Mustahabb fast of children, if it causes harm for the father and mother, it is not permissible. However, .getting permission from them is not required

Issue ۶۱۱: A person who knows that fasting is injurious for him, it is necessary to abandon the fast. If he fasts, it is not correct. Likewise, if he does not have certainty. Regarding having probability that the fast is injurious, whether this probability is obtained from the .experience of persons or from the statement of a doctor

The Rules of Khums

Seven instances of khums

point

:Issue ۶۱۲: Khums is obligatory in seven things

The benefits of earnings and labor ۲) Minerals ۳) Treasures ۴) Lawful wealth mixed with (۱ unlawful wealth ۵) Valuables obtained from the sea by diving ۶) Spoils of war ۷) Lands which non-Muslims (Zhimmi) have purchased from Muslims (according to obligatory .precaution). The rules of these will be given explanations in the upcoming issues

The Benefits of Earnings and Labor (۱

Issue ۶۱۳: Whenever a person by means of agriculture, manufacturing, trade or by means of being a laborer or employee in various establishments, if he obtains a profit above the expenses for the year for himself, and his dependents and children and other persons whom he maintains, it is obligatory to give Khums (one fifth) on the excess according to .the details which will be mentioned afterward

,Issue ۶۱۴: There are no differences between the types of earnings and profits. However

when someone takes a sum of money as a loan from another person, there is no Khums (obligatory) on it. Likewise, there is no Khums on properties that are inherited except when it is known that the deceased did not give Khums (on that property) or that he was liable for Khums on property other than what was inherited.

Issue ۶۱۵: When someone was given something and it was in excess of his expenses for the year, the obligatory precaution is that he pays Khums. Likewise, if an inheritance is received from a distant relative and he was not informed (of the inheritance) and it had not occurred to him that he would inherit from (the relative), in this situation the obligatory precaution is also to pay Khums on that inheritance.

Issue ۶۱۶: Whenever a property is endowed to specific individuals. For example, if a property was endowed to one's own son(s) and if that property has benefits and excess over the expenses of the year, Khums is obligatory upon it.

Issue ۶۱۷: There is no Khums on that which the person deserving (Mustahiqq) of Khums receives as Khums or Zakah although it exceeds his yearly expenses due to specific reasons. However, when the profit of the property which reaches him by this means exceeds his yearly expenses, it is obligatory that he give Khums. For example, the yield of a tree is given as Khums and its fruit exceeds his yearly needs.

Issue ۶۱۸: The beginning of the year specified for Khums for

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everyone is from the start of people receiving earnings. Meaning, when a person begins a business or earning or manufacturing or agriculture other than these, the time the first earnings reach him it is the beginning of his Khums year. He is not able to advance or postpone that (date) intentionally. If he desires to advance the beginning of the year, its method is to establish his yearly calculation before the appointed time and to pay his .Khums. Then, that time is the beginning of his Khums year

Issue ۶١٩: It is permissible for people to pay Khums on profits which they obtain during the year (meaning, at the time when the profit comes to them). However, it is permitted to delay the payment of Khums until the end of the year so that one can take his probable .expenses from it

Issue ۶٢٠: It is permitted to make the standard for the Khums year to be the solar year or .the lunar (Hijri) year

Issue ۶٢١: It is not obligatory for he who does not exceed his yearly expenses to specify .the beginning of the year for Khums

Issue ۶٢٢: There is no Khums on the expenses of the year and expenditures. Meaning, that which people spend during the year for food, clothing, residence, home furnishings, marriage, marriage preparations, the obligatory and recommended Ziyaarah, gratuities, gifts, accommodations and things which are similar to that, there is no Khums upon it with the condition that there was no extravagance in this matter. The Khums

.is only on what is in excess of that

Issue ۶۲۳: It is customary in many families to establish marriage arrangements in stages. If a number of years pass, the Khums is obligatory except that the marriage preparations are held in a particular country so that this is not a defect for which the family is to be blamed or it is commonly deemed as the responsibility of (the girl's) father, then, there is .no Khums in this situation

Issue ۶۲۴: All properties on which the Khums has been taken once, payment of Khums .another time is not connected to it, except if it incurs growth or it increases in value

Issue ۶۲۵: There is no Khums on expenditures for the pilgrimage (Hajj) and the recommended (Mustahabb) Ziyaaraat when the expenditures were taken from the same year as we have said. If someone is compelled to register his name for pilgrimage and pays money for that (and awaits his turn or his name is selected for Hajj by lottery. That money is considered taken from the expenses of the year and there is no Khums upon it .in that year nor the successive years

Issue ۶۲۶: There is no Khums on capital which is needed and it is not possible to conduct his life in a suitable manner with less than it. Meaning that it is permissible to take from the proceeds of this year and coming years and make it a liability of his capital. However, when paying Khums brings no harm to

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him and his work, it is obligatory that he give its Khums whether the capital is the capital .(of business or agricultural land or a property or real estate or a tool of work (like a car

Issue ۶٢٧: It is not permitted (for a person) to disburse his property as long as Khums has not been paid upon it, the intention alone of paying the Khums does not suffice. Likewise, it is not permitted to assume (the amount) of Khums in his responsibility and disburse the property. If he has disbursed it, it is forbidden in reality. If that property is ruined, it is obligatory to pay its Khums

Issue ۶٢٨: He who is obligated to pay an amount of Khums, when the Religious Jurist settles (on the amount of the payment by accepting the payment and returning it to the payee as a loan) and gives permission to utilize this property (of course, with due attention paid to the interest of the needy). If after that, he acquires some benefit and .profit from that property, it belongs to him

Issue ۶٢٩: Whenever, a young child has a profit and it exceeds his yearly expenses, it is obligatory upon him to pay its Khums after becoming mature (Baaligh), according to .obligatory precaution

Minerals (٢

Issue ۶٣٠: The Khums on something which are produced by a mineral such as: gold, silver, lead, iron, copper, coal, petroleum, sulfur, turquoise, salt, minerals and types of metals, the obligatory precaution of that it does not have to be a

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specific portion in that (mineral). Meaning that whatever mineral is extracted, be it small .or large, Khums is given

Issue ۶۳۱: Gypsum, lime, red clay and whatever is similar to those which the title of a mineral can be applied upon, Khums is obligatory for it. Likewise, (it is obligatory on) .various types of stones

Issue ۶۳۲: Khums is obligatory on minerals whether it be in the ground or above the ground, whether in privately owned lands or lands without an owner, whether the Muslim or the non-Muslim extracts it, or whether (the one extracting it) is mature (Baaligh) or immature. In the situation that the one extracting (the mineral) is a child, his guardian .(Waliy) must pay the Khums on behalf of the child

Issue ۶۳۳: Expenditures used in the extraction of minerals and their refinement (when refinement is needed), and, likewise, the sum paid for lease (or rent) of the mine is taken from that which is extracted and Khums is given on the remaining amount. However, the .(expenses incurred within the year are not (subtracted from this sum

Issue ۶۳۴: When a significant mine is in lawful lands (Mubaah) or surrendered lands (Mamlookah), the Religious Jurist (Al-Haakim Ash-Shar', meaning the just Mujtihid), may supervise the process of extraction and utilize it in the benefit of the Muslims and toward their expenses. In this situation it is obligatory upon the extractors to heed the view of the .Religious Jurist and his opinions

Issue ۶۳۵: When an Islamic government extracts minerals, Khums is not

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.obligatory upon the government

Treasures(٣

Issue ۶٣۶: A treasure (Kanz) is property concealed underground or on a mountain or in a .wall or the inside of a tree and it is customarily said to be a treasure

Issue ۶٣٧: If a person happens upon a treasure on a property that has no owner and no owner of that treasure had ever been known, the treasure belongs to the finder and Khums is obligatory upon it. Likewise, when a property is purchased from someone and a treasure was happened upon and it is known that it does not belong to the previous .owners, the treasure is the finder's and Khums is obligatory

However, when it is possible that it belongs to one of the previous owners, it is obligatory according to obligatory precaution to notify (the previous owners) and inform them (of the find). Then, if it is established that it does not belong to the previous owners, the finder should inform whoever were the prior owners of that land. If it is established that it does not belong to any one of them, it belongs to the finder and it is obligatory that he pay .Khums

Issue ۶٣٨: There is a quantity when reached Khums becomes obligatory. The quantity (Nisaab) is one hundred and five (١٠۵) Mithqaal of Silver for fifteen (١۵) Mithqaal of gold. Meaning that when the value of the treasure reaches this amount, Khums becomes obligatory for it. As for when the quantity was less than this amount, then, there is no

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.Khums obligatory upon it

When the value does not reach fifteen Mithqaal of gold but it does reach ۱۰۵ Mithqaal of .silver, it is obligatory to pay Khums on it, and vice versa

Lawful Property Mixed with unlawful Property (۴

Issue ۶۳۹: When lawful property is mixed with unlawful property in such a manner that it is not possible for people to distinguish the lawful from the unlawful and the quantity of the unlawful property is not known nor its owner, it is obligatory to (base) Khums on the entire .property and the property after payment of the Khums will become lawful

Issue ۶۴۰: When lawful property is mixed with unlawful property, if its quantity is known (for example, it is known that a third of it is unlawful) but its owner is not known, it is obligatory to utilize that amount in those things that Khums is utilized for and charitable .(uses together (like poor Sayyids

Issue ۶۴۱: When lawful property is mixed with unlawful property and the quantity is not known but the owner is known. It is obligatory to come to a mutual agreement with the owners (in that each are in agreement with the others). As for when the owner is unknown and the quantity is known specifically with certainty (for example a quarter of the property is unlawful) and there is doubt in whether it exceeds that amount, it is obligatory to give that amount for which there is certainty. The excess amount which is likely to be (the unknown owner's property) is halved (between the

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.(owner of the lawful and the unknown owner of the unlawful

Valuables Extracted by Diving (٥

Issue ۶۴۲: When people extract valuables, like pearls and coral, from the sea by diving it is obligatory that they pay Khums upon it with the condition that its value, after deducting the cost incurred for its extraction, is not less than one Mithqaal of gold (in coin. A Mithqaal Shar'i is ١٨ grains, three fourths of the common Mithqaal). It is the same whether this valuable is a mineral or something that grows in the sea, the same whether extracted by diving one time or numerous consecutive dives with a short break considered normal, all of it is (counted as one dive). It is the same whether that which is extracted is from one .genus (type of matter) or various types

Issue ۶۴۳: When a number of individuals have a partnership in extracting of valuables from the sea, it is not necessary, according to precaution, that the share of each of them reach the extent of the specific quantity (Nisaab). Rather, when the total sum reaches the .extent of the specific quantity, the Khums becomes obligatory upon it

The Spoils of War (۶

Issue ۶۴۴: When the Muslims are at war with the non-Muslims by command of the infallible Imam, peace be upon him, then, the Muslims obtain spoils (Ghanaa'im) from the war, it is obligatory to pay Khums upon it. However, (it is taken) after calculating and first .(removing the expenses incurred in preserving, carrying and transporting (the spoils

Issue ۶۴۵: When the Muslims are at

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war with the non-Muslims by permission of a particular representative of the Imam, peace be upon him, or a general representative, and spoils are obtained, it is obligatory .that they pay Khums on the spoils according to obligatory precaution

Issue ۶۴۶: Large scale arms which are obtained in present wars are subject to Khums and it is not possible for an individual to utilize it, like tanks and cannons. It is permissible for the Religious Jurist (Al-Haakim Ash-Shar') or the Guardian of the Affairs of the Muslims (Waliyul-Amr) to place (these materials) under the particular utilization of the Islamic .army

Issue ۶۴۷: It is proper for the Muslims to take possession of the property of non-Muslim combatants (in war). Khums is obligatory to be withdrawn first, except when possessing their property necessitates harm to the Muslims, such as if they are mentioned in a bad .manner

Land that the non-Muslim Resident Purchases from a Muslim (٧

Issue ۶۴۸: When a non-Muslim resident (Zhimmi-and they are the people of the book - the Ahlul-Kitaab - who are living under the auspices of Islam and are required to observe the conditions of non-Muslim residents) purchases land from a Muslim, it is obligatory that he pay Khums on the value or (remove Khums from) the land itself, according to obligatory .precaution

The Disbursement of Khums

Issue ۶۴۹: It is obligatory to divide (a payment of Khums) into two parts. Half of it is the Share of the Imam, peace be upon him (Sahm Al-Imam) and the other half is the Share of the Sadaat (Sahm As-Sadaat - the Sadaat are the

descendants of the Holy Prophet, peace be upon him and his family). It is obligatory to give the Share of the Sadaat to the poor Sadaat or the needy Sadaat orphans or the Sadaat wayfarer (in other words he who has lost his money or depleted his money during a journey and becomes needy) although (the wayfarer) may not be poor in his own .hometown

It is obligatory in our times to give the Share of the Imam, peace be upon him, to the just Mujtahid or his representative (Wakeel) in order that he disburse it in whatever the Imam desires, peace be upon him, in the benefit of the Muslims, particularly in institutions and .maintenance of the religious Howzaat 'Ilmiyyah and similar things

Issue ۶۵۰: It is only permitted to use the part of the share of the Imam, peace be upon him, in the construction of Mosques, Husainiyyahs, hospitals, clinics and Madrasahs, when those are completed with the permission of the just Mujtahid while observing preference (in the nature of the projects). However, it is not permitted to disburse the Share of the .Sadaat except for Sadaat whose categories we have mentioned

Issue ۶۵۱: Whomever is liable for one of the religious dues (like Khums), when the Mujtahid or his representative has a view in settling (a Khums payment) it is permissible that the quantity of Khums is to be paid to him (the Mujtahid), then, he will make a loan (from it (for the person making the payment). The (payment

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.of Khums is based on his liability and it can be paid by installments

Issue ۶۵۲: It is not permitted to give the Share of the Sadaat to whom we have mentioned from the Sadaat without permission of the Religious Authority (According to obligatory precaution. Likewise, the share of the Imam, peace be upon him, that is given without the permission of the Religious Authority is not proper except when the Mujtahid endorses .(that disbursement) afterward and is satisfied with it

Issue ۶۵۳: When someone desires to pay the Share of the Imam, peace be upon him, to a Mujtahid whom he does not follow (in Taqleed), that is not permissible except when it is known that Mujtahid and the Mujtahid whom he follows both disburse the Share of the .Imam in one manner

Issue ۶۵۴: It is not allowed for the Sadaat to accept more than his yearly expense from .Khums, according to obligatory precaution

Issue ۶۵۵: He who has a debt due from a needy Sayyid, it is permitted to consider his debt (to be taken) from Khums. However, it is necessary in the Share of the Imam, peace be .upon him, to seek the permission of the Religious Jurist

Issue ۶۵۶: It is not obligatory to say to the needy Sayyid: This money is from Khums. Rather, it is permissible to give it under the title of a donation and intend it to be Khums. Likewise, is the situation with the Share of the Imam which is given to needy individuals with

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.the permission of the Religious Jurist

The Rules of Zakah

Rules of Zakah of Property

point

Issue ۶۵۷: Zakah is obligatory in nine things: wheat, barley, dates, grapes (raisins), gold, silver, sheep, cow and camel. If a person owns one of these nine things with the conditions which will be mentioned afterward, he is required to spend a specified amount (it will be mentioned) from it in (certain) expenditures. However, it is recommended also to give Zakah upon capital investments (Ra'sul-Maal). Likewise, (it is recommended) also to .(give Zakah on the remaining types of agriculture (other than what will be mentioned

:Issue ۶۵۸: With a number of conditions, Zakah becomes obligatory

.The property has reached the amount of a Nisaab which will be mentioned afterward (١

.The owner of that property is mature and sane (٢

.He is able to dispense of that property (٣

In the case of cows, sheep, camels, gold, silver, it is necessary to possess it for twelve (۴ months, however, the obligatory precaution is that from the beginning of the twelfth month, the related Zakah is taken out. If during the twelfth month, some of the conditions .disappear, the obligation of Zakah is not dropped

Issue ۶۵۹: If the owner of a cow, sheep, camel, gold or silver becomes mature during the .year, Zakah is not obligatory upon him

Issue ۶۶۰: The Zakah of wheat and barley becomes obligatory at a time when the seeds of that plant opens and it is called wheat and barley. The Zakah of grapes and raisins is obligatory at the time when these names are

applicable for it. The Zakah of dates is at the time where dates ripen and becomes acceptable for eating. However, the time of giving Zakah of wheat and barley is the time at which they are harvested and they are cleared. The time of giving Zakah of dates and raisins is at the time they becomes dry, except when it is desired to be eaten moist. Then, in this situation, it is obligatory to give the Zakah (of dates and grapes) with the condition .that their dried weight reach the quantity of a Nisaab

Conditions for Zakah becoming Obligatory

The Zakah of Crops

Issue ۶۶۱: The Zakah of wheat, barley, dates and raisins are obligatory when they reach the quantity of a Nisaab. The Nisaab of wheat, barley, dates and raisins are (۲۸۸ Man Tabreezi, less than ۴۵ Mithqaal). In other words, it is approximately ۸۴۷ Kilograms (۱,۸۶۷.۶ .(US pounds

Issue ۶۶۲: If a quantity of wheat, barley, dates and raisins are consumed before paying .the Zakah or giving it to another individual, it is obligatory to pay (that quantity's) Zakah

Issue ۶۶۳: If wet dates and grapes are consumed before becoming dry or sold, the Zakah .is obligatory (in dates and raisins) dried quantity is in the measure of a Nisaab

Issue ۶۶۴: There is no Zakah in crops upon which Zakah had already been paid, although it .might remain for numerous years

Issue ۶۶۵: The amount of the obligatory Zakah withdrawn from wheat, barley, dates, grapes (and raisins), when (these crops) are watered by rain water or irrigation or a river or

dammed water or the moisture of the earth, is one tenth. When (the crops) are watered by deep wells or semi-deep wells or semi-level or by means of buckets or by hand or by a water wheel or by drawing water from rivers by a pump, one twentieth (is paid).

Issue ۶۶۶: If agriculture is irrigated by both methods, if one of those methods is measured less, such that it is not customary (For example, had it mostly been watered with rainwater and in a very small amount with well water). The payment of its Zakah is according to its customary watering method. However, if it is watered by each of the two methods in a customary amount, for example, a third or half of the time with rain water and the remaining time watered with well water, it is necessary to give the Zakah of that in halves, meaning that the Zakah of half of it is one tenth and the other half is one twentieth.

Issue ۶۶۷: According to obligatory precaution, the expenses for agriculture are not deducted from the yield. Likewise it is in relation to the cost of the seeds which are used for cultivation. The Zakah is paid upon the entire yield of the land.

The Nisaab of gold and silver

Issue ۶۶۸: Gold has two Nisaab:

The first Nisaab is twenty Mithqaal Shar'i which equals fifteen Customary Mithqaal (Mithqaal Ma'mooli). Whenever gold reaches one of these quantities and other conditions are present, it is obligatory to give one fortieth of that (two and a

half per-cent) with the designation of Zakah. If this amount is not reached, there is no .Zakah

The Second Nisaab is four Legal Mithqaal (Mithqaal Shar'i) which becomes three Customary Mithqaal, meaning that if three Customary Mithqaal are added to fifteen Customary Mithqaal, Zakah is required to be given on the total eighteen Mithqaal at the rate of two and a half percent. If the addition is less than three Mithqaal, then, Zakah is only obligatory upon the fifteen Mithqaal, the excess does not have Zakah. Likewise, whenever three Mithqaal are added, it is obligatory to give Zakah on the total in the mentioned relationship. If the addition is less than three Mithqaal, there is no Zakah upon .the addition

:Issue ۶۶۹: Silver also has two Nisaab

The first Nisaab is one hundred and five (۱۰۵) Customary Mithqaal. If that quantity is reached and other conditions are present, it is required to pay one fortieth of that as Zakah (two and a half percent). If this quantity (of the Nisaab) is not reached, Zakah is not .obligatory upon it

The Second Nisaab is twenty one (۲۱) Customary Mithqaal, meaning that if twenty one Mithqaal is joined with one hundred and five Mithqaal, Zakah is required to be given on the total one hundred twenty six (۱۲۶) Mithqaal. Whenever the addition is less than twenty one Mithqaal, Zakah is only obligatory upon the hundred and five Mithqaal, the addition has no Zakah. Likewise it is whenever twenty one Mithqaal are added. However, for ease of

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calculation, when a person pays two and a half percent of the gold or silver which he possesses as Zakah, he has fulfilled (the duty of Zakah) for himself. Perhaps it is more .than what was obligatory for him

Issue ۶۷۰: Another condition in the obligation of Zakah in gold and silver is that they (the gold and silver) has the signet (of currency) and is a circulating currency. According to this, .Zakah is not connected when (the gold and silver) is not minted with a signet of currency

Issue ۶۷۱: The recommended precaution is that Zakah is given on the remaining types of cash currency like bank notes (like the Dinaar and similar currencies), when other .conditions are present

Issue ۶۷۲: Another condition is that a person possesses the quantity of a Nisaab of gold or silver minted with the signet of commerce for the entire year. When the twelfth month is entered, the precaution is to give its Zakah. Regarding, if he trades (the currency) before the passing of the eleventh month or it becomes less than Nisaab or he is incapable of disbursing it, Zakah is not related to (these funds). Likewise it is if the minted gold and silver is substituted with something else or they are melted or smelted, then, being removed from the situation of being a minted currency. Regarding if minted gold and silver is exchanged with other minted gold and silver, the obligatory precaution is to pay .its Zakah

The Zakah of Animals

point

Issue ۶۷۳: In addition to the conditions

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previously mentioned, it is conditional in the Zakah of sheep, cows and camels that these animals be idle, meaning that they do not work. Then, when the animal works some days during the year such that it is not customary work, Zakah is obligatory.

Issue ۶۷۴: The obligatory precaution is that Zakah on sheep, cows and camels be paid when the amount of the Nisaab is reached, it being the same whether (the animal) was grazing or fed with cut fodder or it grazes sometimes and is fed at other times.

Issue ۶۷۵: If a pasture is purchased or rented for these grazing animals and no one cultivates (the pasture land) or it bears its particular expenses by the animals grazing in the pasture, it is obligatory to give its Zakah.

Issue ۶۷۶: For sheep, there are five (۵) Nisaab:

- ۴۰ Sheep – Its Zakah is one (۱) sheep.
- ۱۲۱ Sheep – Its Zakah is two (۲) sheep.
- ۲۰۱ Sheep – Its Zakah is three (۳) sheep.
- ۳۰۱ Sheep – Its Zakah is four (۴) sheep.
- ۴۰۰ Sheep or more. One sheep is given per each hundred sheep. There is no Zakah on that which is more or less than one hundred just as there is no Zakah on the number between two Nisaab, meaning when the number of sheep reaches ۴۰, then, its Zakah is one sheep. There is no Zakah on whatever is in excess of this number until reaching (the next Nisaab of) ۱۲۱ sheep. When this number is reached,

.its Zakah is two sheep

:Issue ۶۷۷: For cows, there are two (۲) Nisaab

The First Nisaab: Thirty (۳۰) head of cows, meaning that when the number of cows reach ۳۰ heads and the previously mentioned conditions are fulfilled, it is obligatory to give a Tabee' or Tabee'ah. They are the cows that have entered into the second year at the .minimum

The Second Nisaab: Forty (۴۰) head of cows. Its Zakah is a Musannah, meaning the female .cow that has entered into the third year at the minimum

There is no Zakah in that which is in excess between ۳۰ and ۴۰. For example, if someone owned ۳۵ head of cows, then, he would give the Zakah on ۳۰ head of cows, not more. Likewise, when its number was more than ۴۰ to ۵۹ head, then, its Zakah is only that which is obligatory in ۴۰. Then, when it reaches ۶۰ head, ۲ Tabee' or ۲ Tabee'ah are obligatory. Thus, whenever increase is ۳۰ and ۴۰ or ۴۰ and ۴۰, select between (calculating the Nisaab) by counting ۳۰ and ۳۰ or ۴۰ and ۴۰ and act according to the method previously mentioned. However, it is obligatory to count so that nothing remains or when something remains, it should not be more than ۹. For example, when there are ۷۰ head of cows, it is obligatory to figure (the Nisaab based on) ۳۰ and ۴۰ and give the Zakah for each one of these Nisaab according to the method mentioned. When the number of

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.head of cows reaches ٨٠, the Nisaab is figured based on ٤٠ and ٤٠

:Issue ٦٧٨: For the camel, there are twelve (١٢) Nisaab

- Five (٥) camels -Its Zakah is one (١) sheep. There is no Zakah unless it has reached this .number
- .Ten (١٠) camels -Its Zakah is two (٢) sheep
- .Fifteen (١٥) camels - Its Zakah is three (٣) sheep
- .Twenty (٢٠) camels - Its Zakah is four (٤) sheep
- .Twenty five (٢٥) camels - Its Zakah is five (٥) sheep
- Twenty six (٢٦) camels - Its Zakah is a Bint Makhaadh and it is the female camel which .has entered into the second year
- Thirty six (٣٦) camels - Its Zakah is a Bint Laboon, the female camel that has entered .into the third year
- Forty six (٤٦) camels - Its Zakah is a Huqqah, the female camel which has entered into .the fourth year
- Sixty one (٦١) camels - Its Zakah is a Jaz'ah, the female camel which has entered into .the fifth year
- .Seventy six (٧٦) camels - Its Zakah is two (٢) Bint Laboon
- .Ninety one (٩١) camels - Its Zakah is two (٢) Huqqah
- One hundred twenty one (١٢١) camels and whatever is above. Its Zakah is computed based on ٤٠ and ٤٠ and for each forty one Bint Laboon is given. Or it is based on ٥٠ and ٥٠ and for each fifty one Huqqah is given or it is based on ٤٠ and ٥٠. However, it is obligatory that it be figured

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.so that nothing remains larger than ٩

Issue ۶٧٩: There is no Zakah in that amount which is between Nisaab, meaning that when the number is more than the first Nisaab, (۵), nothing is obligatory in this excess until it .reaches ten. Only the Zakah on five is obligatory. It is likewise with the other Nisaab

The Nisaab of Sheep

The Nisaab of Cows

The Nisaab of the Camel

Disbursement of Zakah

Issue ۶٨٠: It is obligatory to disburse Zakah through the expenditure in one of the :(following eight (categories of eligibility

and ٢) The poor and the destitute. Both have neither the means to provide for (١ themselves nor for the families within a year. The difference between the poor (Faqeer) and the destitute (Miskeen) is that the poor is one who does not ask anyone (for .(assistance) while the destitute is a needy person who has need to ask (for assistance

He who has a vocation or real estate or a profitable venture that does not maintain his livelihood and is not sufficient is deemed as a poor (Faqeer) legally. He is permitted to .take his remaining expenses from Zakah

The Zakah collectors (Jaaba Az-Zakawaat). The collectors are the ones appointed in the (٣ presence of the Imam or his representative to collect Zakah payments or to persevere or for its accounting or to send it to the Imam, (peace be upon him) or his representative or to disburse it in a required expenditure. It is certainly allowed that the collector can take .from the Zakah that which is appropriate for his effort and work

To initiate alliances (with (۴

p: ٢٠١

non-Muslims). They are the unsteady in faith and belief whose assistance is sought .through giving Zakah to them in order to strengthen their belief and their desire for Islam

Purchasing slaves and freeing them (۵.

Debtors. Those who have undertaken a financial obligation (Dayn) and are unable to (۶ .fulfill it

The Path of Allah (Sabeel Allah). The Path of Allah is all of the paths of goodness that (۷ has religious benefit like building Mosques and, likewise, religious schools, propagation centers, to dispatch clergymen and the publication and distribution of useful Islamic books. In a few words, it is all that benefits Islam by whatever means it may be. In .particular, Jihad in the Path of Allah

The Wayfarer (Ibn Sabeel). The wayfarer is the traveler whose journey is disrupted and (۸ has depleted his funds. He becomes needy, then, it is permissible that he be given Zakah to the extent of his need although he may be well to do in his own hometown and without .any need

Issue ۶۸۱: The poor (Faqeer) and the destitute (Miskeen) are not able to take more than their yearly needs for themselves and their families from Zakah, according to obligatory precaution. If whatever they possess is insufficient for him and his family, it is permissible .that he take the remaining yearly needs from Zakah

Issue ۶۸۲: It is permissible for one possessing a trade or job whose yearly income is less than the expenses of the year to take the remainder of his expenses from Zakah. It

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is not obligatory that he sell the tools of his trade or his investment capital or real estate .to secure the year expenses

Issue ۶۸۳: It is permissible for those engaged in the study of the obligatory sciences to receive Zakah, likewise, the Judge (Qaadhiy) and the one executing the punishments of .Allah and His verdicts

The People Eligible for Zakah

Issue ۳۸۴: There are a few conditions regarding the people eligible for Zakah :((Mustahiqqoon

First, is that (the people receiving Zakah) have faith (Imaan) in Allah, the Honorable Prophet, peace be upon him and his family, and the twelve A'immah, upon them be peace. It is permissible to give Zakah to infants and the mentally ill when they are from poor Shi'ah Muslims. Yes, Zakah is only given to their guardians. It is the same whether the Zakah is taken with the intention of taking possession on behalf of a child or the mentally ill or (someone takes Zakah) with the intention of spending it in their own matters (they recipient must be Shi'ah). When it is impossible (to give the Zakah) to a guardian, it is permitted to spend it for their needs and their affairs by himself or by means of a .trustworthy individual

Issue ۶۸۵: The second condition is that giving of Zakah not be an assistance for sin, as such, it is not permissible to give Zakah to he who would spend it in sin. The obligatory .precaution is that Zakah not be given to the drinker of alcohol

Issue ۶۸۶: Being just (Adaalah) is

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.not condition in receiving Zakah. Likewise, being free of major sins is not conditional

Issue ۶۸۷: Third, that the one receiving the Zakah not be one whom the giver of the Zakah is obligated to support. Meaning, it is not permissible for a person to give Zakah to his son or his wife or father or mother. However, when one of these has financial obligations and it is not possible for them to make its payment, it is permissible to give them the amount .of the payment of their obligation from Zakah

Issue ۶۸۸: Fourth, it is obligatory that the receiver of Zakah not be a Sayyid (descendent of the Holy Prophet, peace be upon him and his family) unless the giver of the Zakah is also a Sayyid. Regarding Khums and various other legal properties, it is not proper for his support and expenses. If he was compelled to receive Zakah, it is permitted that he receives it from a non Sayyid. However, the obligatory precaution is that he accepts only .the amount of his daily expenses

The Intention in Zakah

Issue ۶۸۹: The intent of Qurbah is conditional in Zakah, meaning that the Zakah is given in compliance with the command of Allah Ta'ala and due to obedience to Him. It is obligatory to specify in intention that this is the Zakah of property (Zakatul-Maal) or the Zakah of Fitrah (Zakatul-Fitr). However, when the Zakah of Agriculture (Zakatul-Ghallaat) and another type of Zakah of property are both obligatory, it is obligatory to specify that this

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.which I am paying is the Zakah of one of these types of property

Issue ۶۹۰: When Zakah is not paid by ones own desire, it is permissible for the Religious Authority to take it by force and deem it to be Zakah. In this instance, the intention of Qurbah is dropped, however, the recommended Precaution is that the Religious Authority .make the intention of Qurbah

Miscellaneous issues of Zakah

Issue ۶۹۱: The lack of delay is obligatory in the payment of Zakah, meaning that it is obligatory to pay the Zakah to the poor or the Religious Authority (Al-Haakim Ash-Shar'i) at the time it becomes obligatory. However, when he waits for a particular poor person or it is desired to give to a poor person, it is best. It is permissible for him to delay it. However, the obligatory precaution is that he separates the Zakah from his property in .this situation

Issue ۶۹۲: Whoever is able to give Zakah to a person eligible, when he is negligent and the property is ruined, he is liable and it is obligatory for him to give its substitute. As for when .it was ruined and he was not negligent, nothing is obligatory for him

Issue ۶۹۳: It is best to give the obligatory Zakah openly and the recommended charity .covertly and secretly

Issue ۶۹۴: It is permissible for people to purchase religious and scientific books with Zakah (as well as) Qur’ans, books of supplications (Dua’) and other beneficial and effective books in advancing Islamic ideals and (establishing) and endowment with

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it, whether it be a general endowment or a particular endowment for specified individuals. Rather, it is even permissible that he make it an endowment for his children whom he is obligated to support. However it is not permitted to purchase real estate and .endow it for his children

Issue ۶۹۵: It is permissible for a poor person to take Zakah in order to go to Hajj or Ziyaaraah and similar things. However, when he had already taken his year's expenses .from Zakah, taking Zakah for Ziyaarah and things similar to that is objectionable

Zakatul-Fitr

point

Issue ۶۹۶: Zakatul-Fitr is obligatory upon all who are mature (Baaligh), sane ('Aaqil) and free of need (Ghaniy) before the sunset of the night of the 'Eid of Fitr. Meaning that it is obligatory for one to give one Saa' (approximately ۳ Kilograms) of a staple food for people in his city on his own behalf, and each of whom he his responsible for at the time of entering the night of Fitr. Whether it be wheat or barley or dates or rice or corn or .whatever is similar to that or the cost of one of these things, it suffices

Issue ۶۹۷: The person free of need (Ghaniy) is he who possesses his needs for himself and his family or he possesses the means to achieve it through earning and labor. If he does not fit one of these descriptions, he is a poor person (Faqeer) and Zakatul-Fitr is not obligatory upon him, rather, he is allowed to

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.receive Zakatul-Fitr

Issue ۶۹۸: People are obligated to pay Zakatul-Fitr for themselves at whomever is deemed his dependent before sunset on the night of 'Eidul-Fitr, whether the dependent be a child or an adult, Muslim or non-Muslim, whether their maintenance is obligatory .upon him or not or whether they are living with him in one place or in another place

Issue ۶۹۹: When a person authorizes (someone) to pay his Fitrah from his own property on behalf of those dependents of his while he lives in another city, if he is content that his .(Fitrah has been paid, it is sufficient (in fulfilling his duty

Issue ۷۰۰: The guest which has entered the house, with the agreement of the host, before sunset on the night of 'Eidul-Fitr is counted as a dependent of the host of the house, meaning that the guest intended to stay with him for a time. The guest's Fitrah is also .obligatory upon the host of the house

As for when the guest was invited for the night of 'Eidul-Fitr only, his Fitrah is obligatory upon the host of the house. When the guest enters the house without the consent of the host of the house and is counted as a dependent, it is obligatory for the host of the house to pay the Fitrah for him also, according to obligatory precaution. Likewise, Fitrah is .obligatory for he who has compelled his maintenance upon people

.Issue ۷۰۱: It is not allowed for a Sayyid to receive Fitrah from a non-Sayyid

:Issue ۷۰۲

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The Fitrah of a nursing infant who nurses from its mother or wet nurse is obligatory upon whoever maintains the child's mother or wet nurse. When (the mother or wet nurse) are maintained from the child's wealth, the child's Fitrah is not obligatory upon anyone, not .upon the child itself nor any other

Issue ٧٠٣: When someone is hired and also a condition of their employment is that they be maintained (like a servant), it is obligatory upon the employer to give Fitrah (for the employee). However, in relation to laborers who contract with the employer maintenance .as a part of their wages, their Fitrah is not obligatory upon the employer

Likewise, in relation to workers in restaurants and similar workers for whom the restaurant owner bears (the expense) of their dinners and breakfast and it is considered as part of their wages, then, their Fitrah is obligatory upon themselves not upon the .employer or the owner of the restaurant

Issue ٧٠۴: It is obligatory, according to obligatory precaution, to give the Fitrah to the poor and destitute with the condition that they be Shi'ah Ithna 'Ashari Muslims. It is permissible also to give Fitrah to needy Shi'ah children whether it be spent on them directly or taken .in possession for them by means of their guardians

Issue ٧٠۵: It is not a condition that the poor who receive Fitrah be just ('Adl), however, the obligatory precaution is not to give the Fitrah to the one drinking wine and he who commits major sins

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publicly. Likewise, Fitrah is not given to one who would spend it in disobedience to Allah, .Glorified by He

Issue ۷۰۶: The obligatory precaution is that the poor person is not given more than the provisions for the year and not less than one Saa' (in other words, approximately ۳ .(Kilograms

Issue ۷۰۷: It is recommended in giving Zakatul-Fitr to advance needy relatives over others, then, needy neighbors. Just as it is recommended to advance the people of .knowledge (Ahlul-'Ilm) and the virtuous over others when they are needy

Disbursement of Zakatul-Fitr

Miscellaneous issues of Fitrah

Issue ۷۰۸: The intention of Qurbah is obligatory in Zakatul-Fitr like the Zakah of property (Zakatul-Maal), meaning that (the one paying) is giving the Fitrah in order to comply with the command of Allah and out of obedience to Him. It is conditional that Fitrah be .intended as well

Issue ۷۰۹: The standard Zakatul-Fitr is not the food of the individual himself, rather, it is the staple food for the people of his country or his city. Based on this, when (the .individual's) staple food is rice, it is permitted to give wheat as Fitrah

Issue ۷۱۰: It is permissible in Zakatul-Fitr to give cash as a substitute for food. For example, figure how much the value of a Saa' of wheat is, then, pay its cost to the poor under the title of Fitrah. However, it is obligatory to pay attention that the basis of the value is the actual retain value in the free market, and not the wholesale figure or the .official pricing

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In another phraseology, it is to give the poor person a sum (of cash) that would enable him to purchase that commodity from the market.

Issue ۷۱۱: The time of giving the Fitrah is the day of 'Eid before performing the prayer (of 'Eid). According to this, when someone prays Saltul-'Eid, it is a requirement that he pay his Fitrah before the prayer of 'Eid. When he does not pray Salatul-'Eid, it is permissible to pay it up until the time of Zuhr on the day of 'Eid.

Issue ۷۱۲: When it is not possible (to give Fitrah) to a poor person, it is permissible to withdraw the Fitrah from his property until he pays it to the deserving person who is in his mind or to another deserving person. It is obligatory to make the intention of Fitrah whenever he intends to pay the Fitrah to a deserving person.

Issue ۷۱۳: When the Fitrah had not been paid nor withdrawn from one's property at the time obligatory to give the Fitrah, the precaution is to make the intention afterward of giving that which is his duty, meaning (to give the Fitrah) without intending (to pay it) in the proper time (Adaa') nor (intending) its Qadhaa'.

ISSSUE ۷۱۴: It is not permitted to exchange the property which is withdrawn with the intention of Fitrah with another property. Rather, it is obligatory to give (that specific) Fitrah itself to the poor.

Issue ۷۱۵: The obligatory precaution is to disburse the Fitrah in the same locality or

country. For example, it is not permitted to send the Fitrah to relatives in another country or another place, except when deserving people are not found in his own city. When it is transferred to another country (or city) with the existence of deserving people in (the payee's city) and it is ruined, he his liable. However, it is permitted for the Religious Authority, with observing the benefit of the needy, to transfer it to another country (or .(city

(The Rules of The Pilgrimage (Hajj

Issue ٧١۴: The pilgrimage (Hajj), meaning visiting the house of Allah and performing particular acts are called the rites of pilgrimage. The pilgrimage is obligatory in life once :for everyone having the following conditions present for them

.(Maturity (Buloogh (١

.(Sanity ('Aql (٢

That one not cause an obligation to lapse more important than the pilgrimage nor (٣ .commit a major sin that is more important in the law than abandoning the pilgrimage

.The ability (to perform the pilgrimage), it is ascertained by a number of matters (۴

First: That one has the provisions and all that is required in the journey, the means of the necessary transportation for the journey or the money enabling one to enjoy these .things

Second: That the way be devoid of obstacles and (that there be a) lack of fear of danger or harm to oneself or his goods or his property. Therefore, if the way is blocked or one fears a (particular) danger, the (obligation of the) pilgrimage is dropped. However, when there is another way more remote, it

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.(is obligatory that one take it to the pilgrimage, and (the obligation is not dropped

.Third: That one be physically able to (perform) the pilgrimage

.Fourth: That the time is sufficient to reach Makkah and perform the rites

Fifth: That one has the (resources by) which he maintains those whose maintenance is .obligatory upon him, legally and customarily

Sixth: That one has the money or the (means) of earning or work enabling him to manage .his life after returning from the pilgrimage

Issue ٧١٧: He who cannot eliminate his need without the seizure of (his) owned house, the pilgrimage is not obligatory upon him, except at the time when he has the cost of the house also. As for when it is possible to live in a rented house or a donated house and .(whatever is similar to that, he is capable (of performing the pilgrimage

Issue ٧١٨: When a woman possesses property enabling her to perform the pilgrimage, however, it is not possible for her husband to support her after returning (from the pilgrimage) and she is not capable of managing her life, the pilgrimage is not obligatory .upon her

Issue ٧١٩: When one does not possess the expenses for the pilgrimage, however, someone expends (the expenses) for him or he gives money in order that he can perform the pilgrimage and bears the expenses of his wife's and his children maintenance throughout this period, the pilgrimage is obligatory upon him, although he becomes indebted and is not able, by himself, to manage his life after

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returning. Accepting this gift is an obligatory matter, except that it be associated with a favor or harm or unbearable difficulty, this pilgrimage will suffice for a obligatory .pilgrimage

Issue ۷۲۰: He who is hired for the service of an individual or caravan in the journey to the pilgrimage, and he make the pilgrimage in this situation, the pilgrimage will count, in this place, as his obligatory pilgrimage. However, it is not obligatory for him to accept this .service

Issue ۷۲۱: When a capable individual had not performed the pilgrimage, then, his physical ability is removed such that he loses hope that he will be able to perform the pilgrimage himself, it is obligatory that he appoint a person to perform the pilgrimage as a representative on his behalf. As for when one is capable financially but unable physically due to old age or illness, the pilgrimage is not obligatory upon him. However, the .recommended precaution is to hire someone (to perform) the pilgrimage on his behalf

.The rules of the rites of the pilgrimage are mentioned in a separate Book

The Rules of Selling and Buying

Obligatory and Recommended Business Transactions

Issue ۷۲۲: It is obligatory upon every Muslim to learn the rules of business transactions to the extent of his need. It is obligatory upon the scholars ('Ulamaa') to teach these rules to .the people

Issue ۷۲۳: To earn, work, labor and strive in the way of business, agriculture and vocation and things similar to that is obligatory upon he who does not possess the expenses (of maintenance) of his wife and

children. Likewise, it is obligatory to preserve the order of Islamic society and secure its needs. In other than these situations, earning and labor is emphatically recommended, in particular, to assist the poor and for the comfort of dependents.

Issue ٧٢٤: It is recommended that the seller make no distinction between buyers in the price of a commodity nor be difficult nor swear (an oath). When the buyer regrets (the purchase) and seeks to cancel the transaction, (the seller should) accept the cancellation.

Disliked (Makrooh) Business Relations

Most Jurist (Fuqahaa') hold the opinion in the dislike of the business transactions which will be mentioned and the best thing is to avoid them:

- Money Changing (Suraafah) and all that involves people with the consumption of interest and its activities or miscellaneous unlawful activities.
- Selling Shrouds (Kafan) in the situation of it being an established occupation and profession in itself.
- Business dealings with the vile people and the owner of doubtful properties in their affairs although the properties are apparently lawful.
- Execution of business transactions between the beginning of Fajr and sunrise.
- When someone has come forward to buy something and before the transaction is complete, it is necessary that someone else does not interfere in this transaction. This is what is termed as someone interfering in bartering and it is one of the disliked acts.

Unlawful and Invalid Transactions

Issue ٧٢٦: Transactions in the following instances are invalid.

1) Selling and purchase of a source of Najaasah (Aynun-Najaasah). Intended by Najaasah is whatever is inherently Najis (impure), according to obligatory precaution (like urine,

stool and blood). Based on this, the selling and buying of fertilizer is objectionable. However, there is nothing preventing benefiting from it. As for the sale of blood and purchase of blood in our times, which is used to save the injured and sick, then, it is .permissible. Likewise is the sale of guard dogs and hunting dogs

The sale and purchase of usurped things except when its owner has endorsed the (۲ .transaction

The sale and purchase of things that have unlawful advantage like the instruments of (۳ .gambling and similar examples

The sale and purchase of something that has no value in the common perception (۴ .although it may possess a value with specific individuals, like many insects

.(Transactions in which there is interest (Ribaa (۵

The sale and purchase of counterfeited and adulterated commodities when the (۶ purchaser is unaware of its state, like selling milk mixed with water or oil mixed with fat or .something else. This action is called cheating (Ghashsh) and it is a major sin

It has been reported that the Messenger of Allah, Blessings be upon him and his family ".said: "He who cheats a Muslim or harms him or deceives him is not from us

Issue ۷۲۷: There is no objection in selling the Mutanajjis (commodity). The Mutanajjis commodity is that which has contacted Najaasah (impurity) and it is possible to purify it or use it, like fruits, fabric and carpets. However, when the purchaser intends to use it for eating, or acts that have purity (Tahaarah) conditional

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.for them, it is obligatory to inform (the purchaser) to avoid it

Issue ۷۲۸: When something pure becomes impure with that which it is not possible to purify, like oil, if it is used only for eating, then, its sale is invalid and unlawful. As for when it has other uses not having purity condition in them, then, its sale is proper (like impure .(petroleum

Issue ۷۲۹: Edible commodities and its likeness imported from non-Islamic countries, when their impurity is not certain and incontestable, there is not objection in their sale and purchase. Like when it is likely that milk and cheese and oil is prepared and produced by .means of an automated process without hands being entered into it

Issue ۷۳۰: The sale and purchase of meats and fats supplied from non-Islamic lands or taken from the hand of a non-Muslim is invalid. Likewise are hides (leathers) according to precaution. However, there is no objection when it is known that it is from animals .slaughtered in a legal manner or under the supervision of Muslims

Issue ۷۳۱: There is no objection in selling and purchasing meats and fats taken from the hand of Muslims. However, when it is known that the Muslim has taken from the hand of a non-Muslim or it is supplied from a non-Muslim country and he has not investigated the method of its slaughter whether it is slaughtered in a legal manner or not, then, its sale and purchase is invalid and unlawful (the ruling of hides is as

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such, according to precaution). When it is taken from a Muslim, its appearance indicating upon his restriction and obligation to the law, or it is likely that he has investigated it, then, the transaction is proper.

Issue ٧٣٢: The sale and purchase of all types of intoxicants is unlawful and invalid.

Issue ٧٣٣: The sale and purchase of usurped (Ghasbi) property is unlawful and invalid. It is obligatory upon the seller to return the price to the purchaser. However, it is not correct that the purchaser should return that usurped thing to other than its owner. When he does not know its owner it is obligatory that he act in accordance with the view of the Religious Authority and his opinion.

Issue ٧٣٤: When it was the intent of the purchaser from the beginning not to pay the price of the commodity which he has purchased, there is an objection (to this transaction). Likewise it is when (the purchaser's) initial intention was to pay the amount in unlawful money. However, when this was not his intention initially and he only gave the price of the commodity from unlawful property afterward, the transaction is proper, however, it is obligatory that he gives (the price) from lawful property a second time.

Issue ٧٣٥: The sale and purchase of instruments of entertainment (Lahw), amusement (La'b) and corruption is unlawful and invalid except that it be an instrument shared (between lawful and unlawful) or a instrument of exercise and similar things to that, then, its sale is permitted.

Issue

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When that which has a lawful benefit is sold to someone who will definitely use it for :٧٣٦ the unlawful (for example, selling grapes to the manufacturer of wines), the transaction is .invalid

Issue ٧٣٧: The manufacture, sale and purchase of images are objectionable. The precaution is to abandon it. However, there is no objection in the sale and purchase of soap and similar things that are manufactured in the form of an image or embossed .patterns

Issue ٧٣٨: The sale and purchase of things that are obtained by means of gambling or theft or an invalid transaction is unlawful and invalid. It is not allowed to utilize it. When someone purchases it, it is obligatory upon him to return it the original owner, if he is aware of him. When he is not aware of the original owner, he acts in accordance with .(whatever the Religious Authority has ordered (him to do

:Issue ٧٣٩: Consuming interest (Ribaa) is unlawful and it is of two types

First, the interest in loans whose discussion will come in the section of loans, with the .permission of Allah, the Exalted

Second, interest in transactions. It is to sell a commodity of a particular type, customarily sold by weight or volume, in return for a greater quantity of the same commodity. For example that a Mann (dry measure) of wheat is sold in exchange for one and a half Mann of wheat, although one of them be a better kind than the other. Numerous Islamic narrations have been reported

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.censuring interest and it is counted as one of the very great sins

:Issue ۷۴۰: Consuming interest is not unlawful in the following instances

.The Muslims taking interest (meaning excess) from non-Muslims (۱

.Interest between the father and son (۲

.Interest between the husband and wife (۳

The Conditions of The Seller And Purchaser

:Issue ۷۴۱: Conditional in the two parties (the seller and purchaser) are what follows

(Maturity (Buloogh (۱

(Sanity ('Aql (۲

That they not be restricted in utilizing the property (like the one under the supervision (۳ .(of the ruling of the Religious Authority due to bankruptcy and similar things

That they be serious regarding their transactions. Therefore, there is no effect for he (۴ .who jokingly says: I will sell you my property

.That they not be compelled to execute the transaction (۵

That the property exchanged is owned by them or they are a representative (Wakeel) (۶ .of the original owner or both or one of them is a guardian of a minor

(Conditions of the two Exchanged Items (The Payment and the Commodity

Issue ۷۴۲: A number of matters are conditional in the commodity (Muthman) that is being :(sold and the thing which is taken in return for the commodity as an exchange (Thaman

It is obligatory that the quantity (of both) is known by means of weight, volume or (۱ .number

That the two (the seller and buyer) are capable of being taking the commodity and (۲ payment into possession. According to this, it is not proper to sell an animal that has fled

.from its owner

That the particular affective qualities are specified for the value of the two exchanged (٣ items ('Iwadhain) and for

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the interest of people to conducting business with them (meaning, the commodity and payment).

4) That the rights of the individuals other than the two parties (the seller and buyer) should not be connected to the two exchanged items. According to this, it is not allowed to sell something that a person has pawned (Rahn-meaning something given as security) without the person's permission. As such, it is permissible for the seller to give in exchange for cash a benefit of his possessions, like someone who buys a carpet, then, he authorizes the use of his house for the seller as an exchange for the carpet that he purchased.

Issue ۷۴۳: It is not proper to sell or purchase the commodity without seeing which is (commonly) sold or purchased by sight, like a house, car, many kinds of rugs and carpets.

The Wording (Seeghah) of a Sale

Issue ۷۴۴: It is permissible for the two parties to execute the wording of a sales agreement in whatever language they are both proficient in. Based on this, if the seller translates the following Seeghah: (I am selling this commodity for such and such amount) and the purchaser translates the following Seeghah: (I accept) in Persian or another language, for example, the transaction is proper. It is likewise, when this meaning is given in another phraseology.

When the purchaser is only given the commodity for another with the intention of a sale, and the other person takes it also with the intention of purchase, it is sufficient (with the conditions that are present for

.(every transaction

Issue ۷۴۵: Recording the records of business transactions, whether in an official register or something other than that stands in the place of the verbal Seeghah.

Issue ۷۴۶: It is obligatory that the two parties (the seller and purchaser) intend to establish (a business transaction) at the time of executing the Seeghah of a sale. This means that their intent in verbalizing (the Seeghah) is the expression of consent (Ijaab) and acceptance (Qabool) and (the consent and acceptance) is selling and buying. Thus, whenever the active giving and taking stands in the place of the verbal Seeghah, it is obligatory that the (two parties) intend the establishment of (the existing nonverbal arrangement) meaning the establishment of the sale and purchase.

(Cash and Credit (Transactions

Issue ۷۴۷: When a commodity is sold in cash, it is permissible for the seller and purchaser to seek the payment or commodity after the transaction and to take possession (of the commodity and payment). Taking possession of a house or land and similar things is to put it at the disposal of the purchaser in manner that he is able to utilize it. Taking possession of something movable like a carpet or clothing is to place it at the disposal of the purchaser so that when he wants to transfer it to another place, he is able to do so.

Issue ۷۴۸: It is obligatory that the period is known when selling or purchasing something on credit (Nasee'ah), otherwise, the transaction is invalid.

Advanced Payment (Salaf) and its Conditions

Issue ۷۴۹: A sale by advance payment is that

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the purchaser gives the payment in cash and takes possession of the commodity after a period of time. It suffices in realizing this type of sale that the purchaser says: I am giving this money and I will take such and such amount of the commodity after six months, for example, and the seller says: I accept. Rather, even when the verbal Seeghah is not executed and the purchaser only gives a sum of money with this intention and the seller .accepts this sum, the transaction is proper

:Issue ٧٥٠: Six matters are conditional in the sale by advance payment

That the qualities and particularities of the commodity which affect its value are (١ specified. However, numerous details are not obligatory. It suffices that only the particularities are known. Due to this, if the sale by advance payment is made for the commodity in which it is not possible to specify its particularities and description (like .some types of leathers and carpets, the transaction) it is invalid

It is obligatory to give the full payment before the two parties separate. When part of (٢ the sum is given, the transaction is proper in the amount given for payment. However, it is .permitted for the seller to invalidate this transaction

It is obligatory to specify the period (of time) completely. Then, when the seller says, for (٣ example: I will hand over the commodity to you in the beginning of the harvest (and the beginning of the harvest) is not known exactly, the transaction is

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.invalid

The (purchaser and seller) must both specify the period of taking possession of the (۴ .commodity and the time when this commodity will be available, usually

The (purchaser and seller) must specify the place of taking possession of the (۵ commodity in whatever city or region that may be, according to obligatory precaution, .except if this is understood from their conversation

The (purchaser and seller) must specify the weight or volume (of the commodity). As for (۶ the commodity that that is traded customarily by sight, (like many of the types of carpets and rugs), then, when it is sold to the purchaser after mentioning and explaining its characteristics, there is no objection. However, it is obligatory that the disparity between the item and the description of this commodity be insignificant such that people attach no .importance to it

Instances in which it is Permissible to Cancel a Transaction

Issue ۷۵۱: The two parties (the seller and purchaser) have the right to cancel a transaction :in eleven situations. It is termed the right of cancellation (Khiyaarul-Faskh). They are

As long as they (the seller and purchaser) have not parted and left the place of the (۱ .(transaction. (It is called Khiyaarul-Majlis

When it becomes clear that there was fraud from one of the two sides. (It is called (۲ .(Khiyaarul-Ghabn

When they (the seller and purchaser) make the condition that one of them or both of (۳ them have the right to cancel the transaction during a specific time period. (It is called .(Khiyaarush-Shart

When one of the two parties cheats and deceives. Then describes his (۴

.(commodity with other than its (proper description). (It is called Khiyaarut-Tadlees

When the seller or purchaser makes it conditional that the other side perform or do (۵ something or that the commodity be in a particular manner, then, the realization of this condition is not achieved. In this situation, it is permissible for the other side to cancel the .(transaction. (It is called Khiyaar Takhalluf Ash-Shart

When one of the two exchanged items (the commodity or the payment) or both are (۶ defective and the other side does not have knowledge of that defect. (It is called .(Khiyaarul-'Ayb

When it becomes clear that a quantity of the commodity that was sold to the purchaser (۷ was the property of another. Then, when the original owner does not consent to the transaction, it is permissible for the seller to cancel the transaction or the original owner of the property can accept the transaction and take the payment of that quantity from the (unauthorized) seller (It is called Khiyaarush-Shirkah or Khiyaaru Taba'udh As-.(Safqah

When the seller sells a commodity by description that the purchaser has not seen. (۸ Then, it becomes clear that the commodity is not according to that description, in this situation it is permitted for the purchaser to cancel the transaction. This same rule is also .(applicable in the instances of exchanges. (It is called Khiyaarur-Ru'yah

When the purchaser delays the surrender of the payment for a commodity which he (۹ has purchased for three days and the seller has also not surrendered the

commodity. In this situation, it is permissible for the seller to cancel the transaction (except when the purchaser had already made the delay in giving the payment conditional for a specific time period). When the commodity is lawful, like some fruits, dates and vegetables which will spoil after a day passes, then, if the payment is not surrendered by night, it is permissible for the seller to cancel the transaction. (It is called .(Khiyaarut-Ta'kheer

When the commodity is an animal it is permissible for the purchaser to cancel the (۱۰ .(transaction during three days, if he desires. (It is called Khiyaarul-Hayawaan

When it is impossible for the seller to surrender the commodity that he has sold, it is (۱۱ permissible for the purchaser to cancel the transaction. (It is called Khiyaaru Ta'azzur At- .(Tasleem

(The Rules of Leasing- Renting- Hiring (Ijaarah

point

Issue ۷۵۲: A person consigning the usage of his property or a person consigning the usage of himself for another is called Ijaarah (renting, leasing). It is conditional that the lessor (Mu'ajjir) and lessee (Musta'jir) both be mature (Baaligh), sane ('Aql) and not compelled (meaning, they establish the lease agreement voluntarily and willingly). And that they not be prevented from utilizing their properties (in other words, they should not be placed under financial management out of compulsion). According to this, the lease agreement of a imbecile (Safeeh) is invalid who is incapable of managing his affairs in this situation .properly so he does not use it foolishly

(Issue ۷۵۳: It is permissible for people to become a representative (Wakeel

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on behalf of another in order for a lease agreement to take place. Likewise, it is permissible for the guardian of a minor or his custodian to lease (the immature child's) property with the condition that he is mindful of his interests. The precaution is that the period after the maturity of the minor is not entered into the period of the lease except .with that the interest of the minor is not realized

When the minor has no guardian or custodian, it is obligatory to seek the permission of the Religious Authority (Al-Haakim Ash-Shar') in the minor's affairs. When it is not possible (to obtain permission) from the just Jurist (Mujtahid 'Aadil) or his representative, it is permitted to seek the permission of a just Muslim who is mindful of the interests of the .minor

Issue ٧٥۴: It is permissible to execute the lease contract in the 'Arabic language or Persian or any other language. For example, the lessor says to a person: I will rent my such and such property for such and such amount for such and such period of time. Then, the other .side says: I accept. Or this is translated into Persian or another language

Issue ٧٥٥: When a person hires out himself to perform a job without executing the Seeghah of Ijaarah. Then, merely engaging in a action by the request of the other side, .the hiring is proper

The Conditions of Ijaarah

:Issue ٧٥۶: A number of matters are conditional in things that are rented/hired

That (details of the lease, rental (١

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or hiring) must be specified, for example, if it is said: I will rent you one of these houses or .one of these cars, it is not proper

It is obligatory that the lessee see (the property) or the owner describe its (۲ .characteristics completely

That it is possible for the lessee to take possession of (the property). Thus, when a (۳ .runaway horse is rented and it is not possible for the lessee to take it, the rental is invalid

That the benefit of that (thing rented, leased or hired) is not exhausted by its usage. (۴ .According to this, it is not proper to rent bread or fruit

That the utilization and benefit of that is possible. Therefore, it is not proper to lease (۵ land for farming when it is unsuitable for agriculture or there is an insufficient quantity of .water

That the thing sought (to rent/lease) is the possession of the lessor or he is a (۶ .representative (Wakeel) or guardian (Waliy) in its rental/hire

:Issue ۷۵۷: A few matters are conditional in the benefit for one who rents/hires something

That (the benefit) be lawful. According to this, it is not proper to lease a store or rent a (۱ .car in order to profit from it in the production of alcohol or its transportation

That the offering of property in exchange for (what is rented/hired) is not in jest in the (۲ .common view

When the benefit of something is varied, it is obligatory to specify what the lessee will (۳ ,acquire. For example

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when an animal is hired it can be used for hauling, carrying, riding or drawing something. It is obligatory to specify which of these aims are to be realized according to the rental .agreement

.It is obligatory that (both parties) specify the time period of the lease/hire agreement (۴

Issue ۷۵۸: When the beginning point of the rental/hire agreement is not specified, the beginning point will be after the execution of the Seeghah or after taking possession of .the property directly

Issue ۷۵۹: When a house or property is leased for a year, for example, and the beginning of the agreement is a month after the execution of the Seeghah of lease/rental, it is proper although the house or property is rented to another person at the time of the .execution of the Seeghah of lease/rental

Issue ۷۶۰: When the lessee says: (I will rent the house for this month for one thousand dollars and whatever I remain beyond this period, the rent is from this same amount.) The agreement is proper with relation to the first month only because the remaining time was not specified. However, when the first month was also not specified and it was only said: Every month (I will rent the house) for one thousand dollars, the agreement is .fundamentally invalid

Issue ۷۶۱: The hotels in which people do not know how long they will stay, when it is established that each night is ten dollars, for example, and both sides are agreed with that amount, there is no objection

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in that. However, in that they have not specified the period of time of the agreement it is not proper. According to this, as long as the owner of the hotel is agreed, it is permissible to remain there, otherwise, he does not have the right to remain. As for when they had specified the number of nights from the beginning, it is permissible for him to remain until .the end of that time period

Issue ۷۶۲: When that thing rented/hired or whatever is acquired from it is defective, if there was no negligence in its preservation and no excess in its usage, the lessee is not liable. For example, when material is given to a tailor, then, a thief steals it or it is burned by fire, if it is not due to the negligence of the tailor, he is not responsible. As for when it is ruined in the (lessee's) hand due to the effect of an error or another cause, he is liable except that the defect due to something itself. Meaning that the material is of a kind that spoils and becomes defective when it is exposed to ironing. In this situation he is not liable .when it is ruined

Issue ۷۶۳: When an injury is associated to a sick person or a child or there was death by reason of the negligence of the doctor at the time of performing an operation on a patient, or at the time of the circumcision of a child, the doctor

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is liable. Likewise, when he erred and the error became the reason that the injury is associated to the patient. However, when he is not negligent nor commits an error and there is an injury related to the patient or the patient died from the effects of other activities, he is not liable with the condition that his undertaking in regards to the child is .within the scope of the permission of child's guardians

Issue ۷۶۴: When a doctor describes a remedy to a patient and he orders him to do something or drink a medication or he gives him an injection, if he makes an error in the treatment and an injury is associated with the patient, or the patient dies, the doctor is .liable

Issue ۷۶۵: So that doctors and surgeons are not liable when they make mistakes in treatment and surgery it is permissible for them to state to the patient or its guardian that they will never be liable when an injury is associated to them inattentively (meaning a mistake). If the patient and the guardian accepts that, then in this situation when the necessary precautions are observed and an injury is associated with the patient or the .patient dies, the doctor or the surgeon is not liable

Issue ۷۶۶: The rent/lease agreement is not invalidated by the death of the owner of the property or the lessee. That (agreement) remains as the right of their inheritors until the end of the period of the lease/rental. However, when it

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was conditional that the lessee is the one who benefits from that property and no other, it is the right of the owner of the property to cancel the rent/lease agreement in the remaining time period.

Issue ۷۶۷: When an employer authorizes a contractor to hire workers for construction, then, if the contractor takes more than what he had given them for the work, it is unlawful. However, when he had agreed to complete the construction of structure for a sum and that sum was more than the expenses of construction of the structure, it is permitted and there is no objection in it.

(The Rules of Loans (Qardh

Issue ۷۶۸: Lending is one of the highly recommended acts. Emphatic exhortations are related in the Noble Qur'an, the Prophet's Sunnah and the narrations of the infallible Ahlul-Bait, peace be upon them all.

It has been related from the Messenger of Allah, peace be upon him and his family (that he said): He who loans a Muslim a loan expecting his good fortune in it, his wealth is (akin to being used as) Zakah and (this deed) is in the prayers of the angels until it is paid. He who needs his Muslim brother for a loan and (his brother) is capable of it and does not provide it, Allah will forbid the fragrance of heaven for him. In another narration, he said, peace be upon him: Charity (Sadaqah) has the reward of ten and the loan (Qardh) has the reward of eighteen.

Issue ۷۶۹: It is permissible

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to execute a verbal contract for a loan and, as such, by the action that a sum is given to someone with the intention of a loan and the other side takes it with this same intention. .Both situations are proper

Issue ۷۷۰: It is conditional in the loan that the quantity of the property, its type and the period of the loan is known. Likewise, (It is conditional that) the lender (Muqridh) and the borrower (Mustaqridh) both be mature (Baaligh) and sane ('Aaqil) and that they not be dimwitted nor restricted from disbursing their properties. (Also it is conditional) that they .engage in this act willingly and voluntarily not due to coercion, compulsion nor jest

Issue ۷۷۱: When both (the lender and borrower) have specified a time period for the loan, it is not permissible for the lender to seek his property before the arrival of the time of this period. As for when a time period had not been specified in the repayment of the loan, it is .permitted for the lender to seek his property at whatever time he desires

Issue ۷۷۲: When a loan was deferred for a period and the desire of the debtor is to pay his debt before the arrival of the due date, it is not obligatory upon the lender to accept that. However, when the period is specified as a provisional period with the borrower, if he desires to pay back his debt whenever he desires it is obligatory upon the lender to accept

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.that

Issue ۷۷۳: When the lender demands his property at the expiration of the period in which he has the right to seek his property, it is obligatory upon the borrower to promptly pay his debt immediately. To delay (in repaying the loan) is a sin and disobedience. However, when the debtor does not own anything except the house in which he lives and the furnishings of the house and whatever he requires in his (day to day) life, it is obligatory upon the lender to wait and grant a delay. It is not permitted that he compel the debtor to sell the necessities which he has need for. However, it is obligatory upon the debtor the he strive in the payment of his loan and obtain it in the way of earning and labor which can .repay this right for him

Issue ۷۷۴: When (locating) the lender is impossible and there is no hope in contacting him, according to obligatory precaution, the amount obligatory upon him should be given in charity (Sadaqah) to the poor without any distinction between Sayyid and non-Sayyid and .it should be given with the permission of the Religious Authority

Issue ۷۷۵: When the estate of a deceased is limited except for the obligatory amount for his shroud (Kafan), burial and his debts, it is obligatory that his estate be utilized in those .matters and nothing from it is given to the inheritors

Issue ۷۷۶: When a sum of gold and silver minted with the signet of currency is

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loaned or (gold and silver of another kind), then, its value drops or rises, it is obligatory to pay the amount which was taken, the same if its value rises or falls.

Issue ۷۷۷: When a term comes to an end and the thing that was taken (as a loan) exists and the lender demands its return (meaning the same thing lent out), it is not obligatory to return it itself, although the recommended precaution is to give it (that very thing) itself.

Issue ۷۷۸: When the lender makes it conditional that he will receive more than that what he gave, it is interest (Ribaa) and forbidden whether it be in volume, weight or number. Even, if (the lender) makes it conditional that he performs a particular action or he adds a commodity at the time he repays. Or he loans a quantity of non-minted gold and makes the condition that he return that same quantity of gold but fashioned into jewelry, each of these are (instances of) interest and forbidden.

However, there is nothing that prevents paying the loan itself along with giving an addition without it being conditional. Rather, this action is recommended and affirmed.

Issue ۷۷۹: Paying interest is like receiving it, forbidden. He who takes a loan with interest does not take possession of it and it is not allowed for the borrower to utilize it. However, when it was such that the owner of the property agrees that the borrower utilized the property, as long and unless interest is

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not made a condition, it is permitted for the borrower in this situation that he can utilize that property

Issue ۷۸۰: It is permissible for people to give an amount to someone in another city and then receive in exchange for that, a lesser amount from the other party. This is called Hawaalah and it similar to a person who waives his rights for something which is his right. As for when a sum of money is given so that more will be received after a month in another city, for example, one hundred dollars is given to receive one hundred and ten .dollars after a month, it is interest and forbidden

Issue ۷۸۱: When a debtor dies, it is obligatory to pay all of the debt obligatory upon him without waiting for the time period (to expire). It is permissible for the lenders to seek .their debt

(The Rules of Securities (Rahn

Issue ۷۸۲: A security (Rahn) is that the debtor agrees with the lender to place something of his property with the lender so that if the borrower does not pay the debt at the established time, the lender can take his right from this property (which is also called a .(voucher

Issue ۷۸۳: It is permissible to execute a contract of security by a verbal Seeghah, like the borrower saying: I am depositing this thing with you in place of the debt upon me. And the lender says: I agree. Or this matter is established by action in that the borrower places his property

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with the lender with the intention of a security, and the lender takes possession of it with .this intention

Issue ۷۸۴: It is conditional for the one taking the security (Raahin) and the one giving the security (Murtahin) that they both be mature (Baaligh), sane ('Aaqil), not compelled, nor dimwitted nor restricted in that they are prevented from disbursing their properties by '.(the Religious Authority (Al-Haakim Ash-Shar

Issue ۷۸۵: It is only permissible to give as a security the thing whose disbursement is permitted legally. Then, it is not permissible to give the property of another as a security except with the permission of its owner. When the owner of the thing says to the lender: I'm giving this thing as a security for the debt of so and so, and the lender accepts that, it .is proper

Issue ۷۸۶: It is obligatory that the security (the thing given to the lender from the borrower) be something capable of being sold or purchased legally. Therefore, it is not .proper to put wine or instruments of gambling and similar things as a security

Issue ۷۸۷: The benefit of the security and its increase, like the milk of an animal given as a security and fruit from the tree given as a security, it is returned to the owner of the .security

Issue ۷۸۸: The obligatory precaution is that the security agreement is not realized without the surrender of the security to the lender. However, when the surrender is accomplished by giving the official deed of a

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house to the lender and it is surrendered to him whereas he is able to fulfill his right at the time of the borrower's failure to repay his debt by selling the house. There is no objection in it. Nothing prevents that the owner of the house can remain as a resident in the house .after realizing the (transfer) of the security

Issue ۷۸۹: The usage which is incompatible with a security is not allowed. According to this, it is not allowed for the lender nor the borrower to give away something given as a security to anyone or to sell it without the permission of the other side. However, when one of them has given that particular thing away or has sold it and, then, afterward the other side gave permission, there is no objection in it. The precaution is that neither one of them utilize the thing given as a security without requesting the permission of the other .side and even when there is no pressure on the security

Issue ۷۹۰: When the lender sells the security by seeking the permission of the borrower and (the borrower) gives permission, the security (agreement) is invalidated. Its price (received in the sale) is not a security except that the permission for the sale is conditional .that the price (received) be a security also

Issue ۷۹۱: When it is impossible for the borrower to repay his debt in the established time forcing the lender to seek it, it is permissible for the lender to

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sell something given as a security and pay his debt from its price and return the rest to the borrower. If it is possible (to have a religious Judge), then, the recommended .precaution is that (the lender) seek his permission for this action

Issue ٧٩٢: When the borrower does not repay his debt and he does not have property except the house in which he resides and the necessities which he requires in his day to day life, like carpets and things similar to that, it is not allowed for the lender to seek his debt, rather, it is obligatory for him to grant a delay (in its payment) and give a deferment. However, when the thing which was given as a security it was the house and the necessities of the house, it is permitted for the lender to sell it and recover his debt from is .(price (of sale

Issue ٧٩٣: A custom is practiced among people that a person gives another person owning a house an amount of property under the title of a loan. The owner of the house gives his house for the use of the owner of the sum (given to the house's owner) as security with the condition that he pay back a smaller sum, like an uncommon (type of) renting or he does not pay back any sum. This house is called a security and this transaction is interest .related and forbidden

The proper method is that one can rent his house for a very

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small amount, puts a condition for the renter that he shall lend him a certain amount of money and he puts the house itself as a security in exchange for that amount. In this .situation the transaction is interest free and proper

The Rules in Matrimony and Marriage

point

Issue ٧٩٤: Matrimony is one of the recommended acts. When one fears that he will fall into committing the unlawful due to his abstinence from marriage, marriage is obligatory for .him

Issue ٧٩٥: The man and woman become lawful for one another by means of the matrimonial contract. (The matrimonial contract) is of two types: Permanent marriage and temporary marriage. The woman married with the permanent matrimonial contract .is called Daa'imah

Temporary marriage is that a woman is married for a specific period, be it short or long. It is called Mut'ah marriage by virtue of the terminology of the Qur'an. Temporary Marriage has the same rules as permanent marriage with respect to the 'Iddah after divorce and .other rules

Issue ٧٩٦: A verbal Seeghah is conditional in the matrimonial contract, whether it be permanent or temporary and mere agreement of the two sides (of the contract) is not sufficient. It is permissible for the two sides or their representatives to perform the .Seeghah of matrimony

Issue ٧٩٧: The representation of a man by a woman and the representation of a woman .by a man is proper for the purpose of executing the Seeghah of matrimony

Issue ٧٩٨: When a woman or a man authorizes a person to perform the Seeghah of

matrimony as a representative of them, they will not become lawful for one another as long as they are not certain that the representative (Wakeel) has performed the Seeghah of matrimony. However, when the representative is a case of reliability and he says: I performed the Seeghah, it is sufficient.

The Method of Performing the Seeghah of Permanent and Temporary Marriage

Issue ٧٩٩: It suffices for the Seeghah of permanent marriage if the woman says:

زَوَّجْتُ نَفْسِی عَلی الصَّداقِ المَعلومِ

I marry myself to you for the agreed upon dowry

And the man says afterward:

قَبلتُ التَّزْوِیجَ

I accept the marriage

If they authorize a representative for the matrimony, then, it would be sufficient that the representative of the woman says:

زَوَّجْتُ مُوَکِّلَکَ اَحْمَدَ، مُوَکِّلَتِی عَلَی الصِّداقِ المَعْلُومِ

I marry the woman I represent to the man you represent for the agreed upon dowry

And the representative of the man says:

قَبلتُ لِمُوکَّلی التَّزْوِیجَ

I accept the marriage on behalf of the man I represent for the agreed upon dowry.

It suffices in temporary marriage if the woman says, after specifying the duration (of the marriage agreement) and the dowry:

زَوَّجْتُکَ نَفْسِی فِی المُدَّهِ المَعْلُومَهِ عَلَی المَهْرِ المَعْلُومِ

I marry myself to you for the agreed upon time period for the agreed upon dowry.

And the man says:

قَبلتُ التَّزْوِيجَ

I accept the marriage

:Or the representative of a woman says

زَوَّجْتُ مُوَكِّلَتِی مُوَكِّلَكَ فِی الْمُدَّهِ الْمَعْلُومَهِ عَلَی الْمَهْرِ الْمَعْلُومِ

I marry the woman I represent to the man you represent for the agreed upon time for the agreed upon dowry

:And the representative of the man says

قَبلتُ لِمُوكَّلی التَّزْوِيجَ

I accept the marriage for the man I represent

Conditions of The Matrimonial Contract

Issue ۸۰۰: Some matters are conditional

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:(in the matrimonial contract ('Aqd An-Nikaah

The precaution is to perform the Seeghah of marriage in proper 'Arabic. When the two (١ sides are not able to perform the Seeghah in 'Arabic, they can perform it in their language. It is not obligatory to appoint anyone to perform the Seeghah in the 'Arabic language (although, it is better). However, it is obligatory to perform the Seeghah with .words which convey the same meaning understood from the 'Arabic Seeghah

It is obligatory upon whomever performs the Seeghah o f marriage that they intend (٢ Inshaa', meaning that they intend to establish a marital bond between the man and woman by reciting these words (of the Seeghah), then, the woman makes herself a wife for the man with these words and the man accepts this meaning. Likewise, it is obligatory .for the representative to have in the intention of Inshaa' as well

Sanity and maturity (Buloogh) is conditional for whoever performs the Seeghah, (٣ .according to precaution

It is obligatory upon the guardian (Waliy) or representative (Wakeel) that they specify (۴ the man and woman at the time of performing the Seeghah of the contract. According to this, when a man has a number of daughters it is not proper that he says: I am marrying .one of my daughters to you

It is a condition that the man and the woman are agreed to the marriage voluntarily. (۵ However, when one of the two was apparently not agreed but we know of their agreement in their

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.heart, their marriage is proper, in the reverse situation, their marriage is not proper

It is obligatory that the performance of the Seeghah of the marriage contract be done (۶ in a proper manner. When it is performed in an incorrect manner such that it changes its meaning, the contract is invalid. There is no objection when its meaning has not been .altered. It is permissible to appoint one representative for both spouses

Issue ۸۰۱: He who does not know the rules of the 'Arabic language but he knows how to articulate the words of the contract in a proper manner and is aware of its meaning also, .the contract is proper

Issue ۸۰۲: When a woman is married to a man without her permission, then, she agrees to that afterward and gives permission for the marriage, the contract and the marriage is .proper

Issue ۸۰۳: The precaution is permission for the marriage of a mature, sensible young woman marrying herself with the permission of her father and paternal grandfather, if she is a virgin. However, when she finds an appropriate mate for herself and her father disapproves, his permission is not conditional. It is likewise when a young girl cannot access her father or paternal grandfather and she needs to get married. If she is not a .virgin, the permission of her father or grandfather is not conditional in the new marriage

Defects For Which it is Permissible to invalidate The Contract

Issue ۸۰۴: When a man comes to know, after the contract (is executed), that the woman is afflicted with one of the

:following defects, it is permissible for him to invalidate the marriage contract

- .(Insanity (Junoon-With the condition that it occurred before the contract
- (Leprosy (Juzaam
- (Psoriasis (Baras
- (Blindness ('Ama
- (Lameness ('Araj-If it is apparent
- Rupture (meaning the passageway of menstruation and urine or the passageway of menstruation and stool are one in a general breach which makes it unsuitable for sexual .(satisfaction
- The existence of flesh or a bone or gland in the vagina such that it prevents sexual .intercourse

Issue ۸۰۵: It is permissible for the woman to invalidate the marriage contract due to the :following matters

- (Insanity of the husband (Junoon
- (Absence of the instrument of virility (i.e. the sexual organ
- Impotency
- That the man is castrated (Mukhasiy-the details of this issue and the previous issue are (reserved for detailed jurisprudence books

Issue ۸۰۶: When a man or woman invalidates a contract due to one of the above mentioned defects, there is no need of divorce, rather, the invalidation (Faskh) is .sufficient

Issue ۸۰۷: When a woman invalidates the contract due to inability of the man to engage in sexual intercourse with her, it is obligatory for the man to pay half of the dowry (Mahr) to her. If the woman or man invalidates the contract due to one of the other

aforementioned defects, when no intercourse has occurred between them, nothing is obligatory upon the man. As for when sexual intercourse had occurred, then, the .obligatory precaution is that he gives the dowry, all of it

Women With Whom it is Forbidden to Marry

Issue ٨٠٨: The marriage of a

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man with his close relative (Mahram) is forbidden. The close relatives (Mahram) are: the mother, the daughter, the sister, the paternal aunt, the maternal aunt, the niece (daughter of the brother and daughter of the sister), the wife of the father (meaning stepmother), the daughter of the wife and the mother of the wife. (The explanation of these matters is forthcoming in the next issues)

Issue ٨٠٩: When a man marries a woman, although he has not had sexual intercourse with her, her mother and the mother of her mother and the mother of her father (and so forth) becomes a close relative (Mahram) of that man, although they are ascending (in the family tree). However, the daughters of the wife are not forbidden nor the grand daughters of this woman, from her sons or her daughters except when he had intercourse with the wife.

Issue ٨١٠: The paternal aunt of the father and his maternal aunt, the maternal aunt of the grandfather and his maternal aunt; the paternal aunt of the mother and the maternal aunt and the paternal aunt of the grandmother and her maternal aunt, although they ascend (the family tree) are close relatives (Mahram).

Issue ٨١١: The father of the husband and his father, although they ascend (the family tree); the son (of the husband) and the son of the daughter of the husband, although the descend (the family tree) are close relatives in relation to the woman whether born before the marriage contract or after the contract.

Issue ٨١٢:

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When a man marries a woman, it is not permitted that he marry her sister as long as the wife (her sister) is in his net of marriage whether it be permanent or temporary marriage. It is not allowed to marry the sister of his wife even after the divorce of the wife as long as she is in seclusion ('Iddah), in the revocable divorce (At-Tallaaq Ar-Raj'i, its explanation .(is forthcoming in the book of divorce

The recommended precaution is not to marry the sister of the wife even during the seclusion ('Iddah) of the irrevocable divorce whose explanation is coming afterward. Likewise (is the situation) in the seclusion ('Iddah) of a temporary marriage (Mut'ah), be it after the completion of the time period (of the contract) or after forgiving of the .remainder of the time period

Issue ۸۱۳: It is not permissible for a man to marry the daughters of the sister of the wife (i.e. his wife's nieces) or the daughters of her brother without the permission of the wife. However, if he marries (one of these women) without the permission of the wife, then, .the wife approves, the contract and the marriage is proper

Issue ۸۱۴: It is not allowed for a Muslim woman to marry a non-Muslim man. Also, it is not permitted for a Muslim man to marry a non-Muslim woman according to precaution. However, marriage in temporary marriage is permitted with the women from the People .of the Scriptures (Ahlul-Kitaab), like the Christians and Jews

Issue ۸۱۵: When

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a man fornicates with a married woman (God forbid), she becomes forbidden for him permanently, meaning if her husband divorces her, it is not permitted that the fornicator .marry her after her seclusion ('Iddah) of divorce

Issue ۸۱۶: When a man fornicates with a woman and she is in the seclusion ('Iddah) of another (man's divorce), she will become forbidden for him whether the divorce is revocable (Raji') or irrevocable (Baa'in) according to obligatory precaution and, likewise, is .the seclusion ('Iddah) of temporary marriage

Issue ۸۱۷: When a man fornicates with an unmarried woman nor (a woman) in her seclusion ('Iddah), it is permissible for him to marry her afterward. However, the .recommended precaution is that he waits until she menstruates and then he marries her

Issue ۸۱۸: If a man marries a woman and she is in the seclusion ('Iddah) of another (man's divorce), if both sides or one side knows that the woman is in seclusion and also knows that the marriage in the seclusion is prohibited, this woman becomes forbidden .permanently for the man whether he had intercourse with her or not

However, when neither one of the two know that the woman is in her seclusion or they do not know that to marry a woman in her seclusion is forbidden, the woman will become forbidden for him only if he had intercourse with her and she will not become forbidden if .he did not have intercourse with her

Issue ۸۱۹: The mother of a sodomized male and his sister and

his daughters are forbidden for the one committing the sodomy (i.e. the homosexual act) whether the sodomized person is mature (Baaligh) or immature. However, when the person committing the sodomy is immature, they do not become forbidden for him. Likewise is the situation when there was doubt as to whether there was penetration .(during the homosexual act) or not

Issue ۸۲۰: When someone is married to the mother of someone or his sister or his daughter, then, after the marriage he commits sodomy with that person, she (meaning .the wife) does not become forbidden for him although he has committed a major sin

Issue ۸۲۱: When a woman is divorced three times she becomes forbidden for her husband. However, when she marries another man fulfilling the conditions in the Book of Divorce, then, her second husband divorces her, it is permissible to marry the first .husband a second time

Rules of Permanent Marriage

Issue ۸۲۲: It is not permissible for a woman married in permanent marriage to leave the house or select an occupation or employment outside of the house without her husband's permission whether his agreement is verbal or his agreement is known in context. Just as .it is not permitted that she prevent him for sexual intercourse without a legal excuse

It is obligatory upon the husband also that he provide food, clothing, residence and the necessities of life for his wife according to the common (standard). Even the expenses of ,the doctor, medicine and things similar to that. When he does not provide that, then

the precaution is that he becomes indebted to her for that whether he be able or unable .((to provide it

Issue ۸۲۳: It is not obligatory upon the woman that she perform household services, prepare food and clean and things similar to that in the house except by her desire. If the husband forces her to do that, it is permissible that she can take compensation from him .(in exchange for that (work

Issue ۸۲۴: It is not obligatory to specify the dowry (Mahr) in permanent marriage and the contract is proper without it. However, after the husband has intercourse with her, it is .(obligatory that he give her a dowry in accordance with women of her stature (Mahr Mithl

Issue ۸۲۵: When a time period was not specified for paying the dowry, it is the right of the woman to seek her dowry immediately. Rather, it is permitted that she prevent her husband from intercourse with her before taking possession of her dowry, whether her husband is able to pay the dowry or not, except that his lack of ability (to give the dowry was evident) from the beginning an indication that the dowry was initially in his liability .and not a cash situation

(Temporary Marriage (Mut'ah

Issue ۸۲۶: In temporary marriage it is obligatory to specify the period (of the marriage) .and the amount of the dowry, without that the marriage is invalid

Issue ۸۲۷: Temporary marriage is permissible although it not be for enjoyment and pleasure. Rather, with the intention that it will make a

person lawful for one of the relatives of the daughter with the condition that the daughter who is married with the temporary marriage is in the age acceptable for enjoyment and pleasure. For example, when she is a minor, it is obligatory to make the period long so that it includes the interval of her preparation for that (although the period be granted (after the marriage

Issue ٨٢٨: It is permissible for a woman to stipulate in the temporary marriage that her husband will not have intercourse with her, rather, that he be content with other (types of) pleasure besides intercourse. However, there is no objection if she agrees (to .intercourse) after that

Issue ٨٢٩: There is no right of maintenance for the temporary wife even though she becomes pregnant from (her temporary husband). There is no inheritance from the husband and the husband does not inherit from her. Likewise, there is no obligatory .conjugal rights for her

Issue ٨٣٠: It is permissible for the temporary wife to leave the house without the permission of her husband or to select for herself employment outside of the house, .except that when her leaving the house forsakes the right of her husband

Issue ٨٣١: It is permissible for the father and grandfather, in order to become a close relative (Mahram) to a woman that they marry her to their immature son (with the condition that the period of the marriage is so long that it includes the interval in which the child will become capable of

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.sexual enjoyment

Likewise, it is permissible that (a man) marry his immature daughter to a person in order that he become a close relative (Mahram) to his family (with the same condition which has passed in the instance of the son). It is obligatory in both situations, according to obligatory precaution, that the contract has benefit and advantage for both sides and .that it be devoid of corruption

Issue ۸۳۲: It is permissible for a man that he grants the period of the temporary marriage (to his wife) and terminate it. In this situation, if he had intercourse with her, it is obligatory that he pay the entire dowry and if he had not had intercourse with her, he give .her one half of the dowry

Issue ۸۳۳: It is permissible for a man to marry himself permanently to the wife whom he married temporarily, however, it is obligatory to first grant to her the remainder of the period (of the temporary marriage), then, he can marry her in a permanent marriage .anew

Issue ۸۳۴: There is a period of seclusion ('Iddah) for the temporary wife after the termination of the period (of the marriage) with the explanation which will come in the Book of Divorce. The children born from this marriage have all the rights established for children who are born from permanent marriage. They inherit from their mothers and their fathers and their relatives although the two spouses (in the temporary marriage) do .not inherit from one another

(The Rules of Viewing (Nazar

Issue ۸۳۵: For a man

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viewing the body of the unrelated (Ajnabi) woman is forbidden whether it be with the intention of lust or without this intention. Likewise, it is forbidden for a woman to look at the body of an unrelated man. However, there is no objection in looking at the face of an unrelated woman and her hands up to the wrist when there is no intention of lust nor .going to corruption and sin

Likewise, there is not objection in a woman looking to the extent which is customary without covering of the body of the unrelated man, like the head, face, knees and .something of his hands or feet

Issue ۸۳۶: It is permitted (for a man) to look at the immature girl when there is no intention of lust and he does not fear falling into anything unlawful by looking at her. However, it is obligatory, according to obligatory precaution, not to look at her thighs and stomach .which she customarily covers

Issue ۸۳۷: It is obligatory that a woman cover her body and her hair from (the view of) unrelated men. The recommended precaution is that she cover before the immature boy who can distinguish between good and bad and right and wrong, who is at the stage that his viewing can be lustful. However, it is not obligatory to cover the face and the hands up .to the wrist

Issue ۸۳۸: It is forbidden to look at the private parts of another, although it be in the mirror or in clear water

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and things similar to that, whether it be a close relative (Mahram) or a unrelated person, whether the one viewed is male or female. The obligatory precaution is not to look at the private parts of an immature discerning child. However, it is permitted for two mates (i.e. husband and wife) to look at the entire body of the other.

Issue ۸۳۹: It is allowed for the close relatives (Mahram) of a man and woman, like brothers and sisters to look at each other to the customary extent in their seeing the body of the other. The precaution is not to look at what is besides that.

Issue ۸۴۰ It is not permitted for a man to look at the body of another man with lust and it is also forbidden for a woman to look at the body of another woman with the intention of lust.

Issue ۸۴۱: It is not forbidden for the unrelated man to photograph the unrelated woman, except when it is necessary to look at her body besides the face and hands.

Issue ۸۴۲: When a woman wears a legal covering (Hijaab), it is objectionable to look at her face without the covering, except that he does not recognize her and there is no other fear of corruption in looking.

Issue ۸۴۳: When the male nurse or male doctor is compelled to touch the body of the female patient or the female nurse or female doctor is compelled to touch the body of the male patient, it is obligatory upon

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them to wear gloves and whatever is similar to gloves. However, there is no objection in .the state of compulsion

Issue ۸۴۴: It is permissible for the doctor to look at the unrelated woman for treatment in .the situation of necessity

Issue ۸۴۵: It suffices in covering (Hijaab) that the woman covers her body besides the face and hands up to the wrist by any means possible. A specific and particular clothing is not conditional. However, it is objectionable to cover with tight clothing and clothing clinging .to the body. Likewise, are the clothing used for decoration

Issue ۸۴۶: It is permissible for an unrelated man to look at the woman that he intends to marry in order to inspect her beauty or defects. Rather, even when he did not obtain the intended aim with one look, it is permissible for him to repeat the viewing in a number of .sittings

Issue ۸۴۷: It is permissible to listen to the voice of an unrelated woman when there is no intention of lust and it does not lead to falling into sin. However, it is obligatory that the .woman not make her voice so that it brings about infatuation and incites desire

Issue ۸۴۸: It is permissible to look at an unrelated woman in order to identify her at the time of indicating (someone) when a witness in (legal) decisions and important matters .which are similar to that

Miscellaneous issues of Marriage

Issue ۸۴۹: When it was conditional in the contract that the woman whom is to be married is a

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virgin, then, it becomes clear that she is not a virgin, it is permissible for (the man) to .invalidate the marriage

Issue ۸۵۰: The obligatory precaution is that the unrelated man and woman not find themselves in a place where there is no one other than them or it is not possible for .others to enter upon them. If they pray there, there is an objection to their prayer

Issue ۸۵۱: When the intention of a man from the onset was not to pay the dowry to his .wife, the contract is proper and it is obligatory upon him to pay the dowry to her

Issue ۸۵۲: When a Muslim whose parents or one of his parents were Muslim, apostates, meaning that he rejects the existence of Allah or the Prophethood of the Messenger of Allah, peace be upon him and his family, or he rejects one of the imperative beliefs (Dharooriyaat), like the obligation of prayer or fasting whereas its meaning is to reject the existence of Allah or the Prophethood of the Messenger of Allah, peace be upon him and his family, his marriage is invalidated. It is obligatory upon his wife that she withdraw from him and observe the seclusion ('Iddah) of a deceased husband (i.e. four months and ten days). It is permissible for her after the seclusion ('Iddah) to marry another man. When she was menopausal or he had never had intercourse with her, there is no need for .the seclusion

,Issue ۸۵۳: When, as part of the contract

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the woman makes it conditional that her husband not take her out of so and so city, it is .not permitted for her husband to remove her from that city without her consent

Issue ۸۵۴: He who marries his son to a girl, it is permissible for him to marry her mother. .Likewise it is when he married her mother first, then, married his son to that daughter

Issue ۸۵۵: When a woman becomes pregnant in an illegal manner, it is not permitted that she abort her pregnancy intentionally. The child is deemed hers and is a close relative .(Mahram) for her, only she does not inherit from him

Issue ۸۵۶: When a woman is certain that her husband has died while traveling and she observed the seclusion ('Iddah) of death (whose mention will come in the rules of divorce), then, she re-married, then, her first husband returned from the journey. It is obligatory for her to separate from the second husband immediately and she is lawful for her first husband and there is no need for seclusion ('Iddah) when the second husband had not had intercourse with her. However, when the second husband had intercourse with her, it is obligatory that she observe seclusion ('Iddah). According to obligatory precaution, the second husband must pay her the dowry agreed upon between them. When the standard dowry (Mahr Mithl) is more that the named dowry, he must pay the .standard dowry

The Rules of Breastfeeding

point

Issue ۸۵۷: When a woman breast feeds a male child with the

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conditions whose explanation is upcoming in the attached issues, she will become in the ruling of the child's mother and the owner of the milk (meaning the man who caused the pregnancy from which the milk issues) will be in the ruling of the child's father; his father will be in the ruling of the child's grandfather; his mother in the ruling of the child's grandmother; his sister will be in the ruling of his maternal aunt; his children will be in the ruling of his brothers and sisters; the brother of his mother will be in the ruling of his maternal uncle and his sister will be in the ruling of his maternal aunt.

Likewise, with relation to the female child, when a woman breast feeds her, it becomes forbidden for the husband of the breast feeding woman (to marry, with the condition that her husband already had intercourse with the wife). As such, it is not permitted for people to marry the mother of his wife by breast feeding because she is in the ruling of his real mother. With another expression, when a woman breast feeds a child with the conditions which will be mentioned in the attached issues, that child will become a close relative (Mahram) for the following:

۱) That same woman who breast fed him, she is called the mother by breast feeding.

۲) The husband of that woman, he is called the father by breast feeding.

۳) The parents of that woman, although they are ascending (the

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.family tree) and even her parents by breast feeding

.The existing children of that woman or those who will be born (۴

The children of the children of that woman although they descend (the family tree) (۵ .whether they exist or will be born afterward

The brothers and sisters of that woman, although they might be (brothers and sisters) (۶ .from breast feeding

The paternal aunts and uncles, although they might be (paternal aunts and uncles) (۷ .from breast feeding

The maternal aunts and uncles, although they might be (maternal aunts and uncles) (۸ .from breast feeding

The children of the husband of that woman who is the owner of the milk, although they (۹ .descend (the family tree) and although they might be (his children) from breast feeding

The parents of the husband of that woman who is the owner of the milk, although they (۱۰ .be (his parents) by breast feeding

The brothers and sisters of the husband of that woman who is the owner of the milk, (۱۱ .although they be (brothers and sisters) by breast feeding

The paternal aunts and uncles and the maternal aunts and uncles of the husband of (۱۲ that woman whom he is the owner of milk, although they ascend (the family tree) and .though they be (is uncle or aunt) by breast feeding

Likewise, there is another group whose mention will be forthcoming in the attached issues. They will all become a close relative (Mahram) to the child who that woman had .breast fed by reason of breast feeding

Issue ۸۵۸: When

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a woman breast feeds a child with the conditions whose explanation is upcoming, it is not permissible for the parents of that child to marry the children who are born from that woman. Likewise, according to obligatory precaution, it is not permissible for them to marry the children of her husband who is the owner of her milk. Rather, the precaution is that they not marry with his children by breast feeding. However, there is no objection nor anything preventing them from marrying the children by breast feeding of that .woman from another husband

Issue ۸۵۹: It is not allowed for a woman to breast feed the child of her daughter with a complete breast feeding because she would become forbidden for her husband by that. And it could become a cause of a great scandal. It is likewise when she breast feeds a child for her husband's children by another wife. However, there is not preventing her .from breast feeding the son of her son

The Conditions of the Prohibiting Breastfeeding

Issue ۸۶۰: When a woman breast feeds a child, the breast fed child becomes a close :relative (Mahram) with nine conditions, they are

That the milk be from childbirth. Due to this, when milk is taken from the breast of a (۱ woman without the birth of a child, then, she breast feeds a child, the breast fed child .does not become a close relative

That the breast feeding of the child be from a living woman. When the breast of a (۲ deceased woman is placed in

the mouth of a child and he suckles milk from, the breast fed child does not become a .close relative

That the milk (not result from) an unlawful (relationship). When a child is breast fed (۳ from the milk of a woman connected to child born from fornication, it does bring about a .close relationship

That the milk be suckled from the breast, however, the obligatory precaution is that (۴ there be no marriage with that woman and her close relatives, although the milk is .poured into the mouth of the child

.That the milk not be mixed with something else (۵

That the milk be from one husband. According to this, when the woman in whose breast (۶ there is milk is divorced, then, another man marries her, then, she becomes pregnant from him and milk remains in her breast from the first husband until the time of delivery and the child had been nursed, for example, with eight breast feedings from her milk from the first husband and seven breast feedings from the milk of her second husband, this child will not become forbidden for anyone. Likewise, when a woman breast feeds a child from the milk of her first husband in a complete fashion, then, she breast feeds another child from the milk of the second husband, the first child does not become a close relative .of the second child

That the child does not vomit the milk which it has drank due to illness. However, the (۷ obligatory precaution is that

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those who become a close relative with that child by reason of his breast feeding avoid marriage to him and that they also not view him with the view a close relative (Mahram) views (another) close relative.

8) That the child be breast fed fifteen feedings or be breast fed one complete day and night or be breast fed in the amount that it can be said that its bones has been strengthened (from the breast feeding) and his flesh has grown from that milk. The recommended precaution is that when the child was fed with fifteen breast feedings, that those who become close relatives (Mahram) by means of breast feeding not marry him and also not view him with the view that a close relative views (another) close relative.

9) That the child be within the first two years. Then, when a child is breast fed beyond the two years of his life, he does not become a close relative of anyone. Rather, even when he was breast fed fourteen feedings before the termination of the two years and breast fed after the conclusion of the two years, he does not become a close relative of anyone.

However, when two years have passed since the birth of a child for woman and milk remains and, then, she breast feeds a child. The obligatory precaution is that (the child) not marry with woman who become a close relative to him by reason of breast feeding and that he also not look at them

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.with the view (allowed for one) close for (another) close relative

The Rules of Divorce

point

Issue ۸۶۱: It is conditional that the man who divorces his wife be sane and the obligatory precaution is that he be mature (Baaligh) and that his divorce be of his own volition without compulsion. Thus, the forced divorce is invalid. (It is conditional) that his intention be serious also. According to this, then, it is not proper to utter the Seeghah of divorce in .jest

Issue ۸۶۲: It is obligatory, according to obligatory precaution, that the Seeghah of divorce be performed in correct 'Arabic and it is obligatory that two just men hear it. When the husband himself desires to divorce, he states the Seeghah of divorce and mentions the :name of his wife, for example he says

زَوْجِتی فَاطِمَهُ طَالقٌ

My wife Fatimah is divorced

When he appoints a person (to perform the divorce as his representative), it is obligatory :that the representative (Wakeel) say

زَوْجَتهُ مُوَکّلی طَالقٌ

The wife of the person I represent is divorced

Issue ۸۶۳: It is conditional that the woman at the time of her divorce be free of menstruation and afterbirth bleeding and her husband has not had intercourse with her in that period of purity (i.e., when she is free of bleeding). If he had intercourse with her in the state of menstruation or afterbirth bleeding which has preceded this period of purity, the divorce is not sufficient according to precaution. Rather, it is obligatory that he wait until she menstruates another time, then, becomes pure

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.(the explanation of these two conditions is forthcoming in the upcoming issue)

Issue ۸۶۴: It is proper to divorce the wife in the state of menstruation and afterbirth :bleeding in three situations

.When her husband has not had intercourse with her after marriage, without exception (۱

.When she is pregnant (۲

When the woman is absent and it is not possible for the man or it is difficult for him to (۳ .be aware of the state of purity of his wife

Issue ۸۶۵: When he imagined the purity of his wife from menstruation and divorced her, then, he became aware that at the time of the divorce she was in the state of menstruation, his divorce is invalid. In the reverse of that, when he imagined that she was in the state of menstruation and he divorced her with that, then, it became clear that she .was pure in that time, the divorce is proper

Issue ۸۶۶: When (a man) knows that his wife is in the state of menstruation or afterbirth bleeding, then, he leaves or he travels or he desires to divorce her and it is not possible for him to become aware of her state, it is obligatory that he wait for a period of time wherein she usually becomes pure for menstruation or afterbirth bleeding, then, if he .wants, he can divorce her

Issue ۸۶۷: When a man has intercourse with his wife, then, he desires to divorce her, it is ,obligatory that he wait until she menstruates, then, becomes pure. However

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when she is pregnant, it is permissible that he divorce her after having intercourse with her without delay. Likewise, is the menopausal woman (Yaaʼisah), meaning she who is .more than fifty years old

Issue ٨۶٨: When a man has intercourse with his wife who was pure from menstruation and afterbirth bleeding, then, he travels and he does not possess the means to know her state, then, if he desires to divorce her, the obligatory precaution is that he awaits the .minimum of one month, then, divorce her

Issue ٨۶٩: The woman who does not menstruate due to an illness or some other reason, when the man desires to divorce her, it is obligatory that he allow a period of three months to pass from (the time of) his intercourse with her avoiding intercourse with her in .this period. Then, he can divorce her after that, if he wants

Issue ٨٧٠: There is no divorce for the temporary wife, rather, the temporary wife emerges from this marriage when the established period concludes or he grants her the remainder of the period (of the temporary marriage). Her purity from the month custom is not .conditional and, likewise, there is no need to call upon witnesses

The Seclusion (ʻIddah) of Divorce

Issue ٨٧١: It is obligatory for the divorced woman to seclude herself (in 'Iddah) except when her husband had never had intercourse with her or he divorced her before she reached nine years of age or she was menopausal (meaning she is more than fifty years of age). In these three

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.situations, it is permissible for her to marry another after her divorce directly

Issue ۸۷۲: The precaution in the period of seclusion ('Iddah) with relation to the woman who menstruates is that she wait for the amount of time in which she menstruates two times and becomes pure. Then, after she menstruates a third time, her seclusion .concludes

Issue ۸۷۳: It is obligatory upon the woman who does not see a monthly custom when she is of the usual age of menstruation, that her husband divorce her after intercourse with the preceding conditions, that she observe a period of seclusion ('Iddah) for three months after the divorce. The intention of three months is when she was divorced in the beginning of the lunar month that she waits for three complete lunar months from that time. When she was divorced on the fifth of the lunar month, for example, she waits until .the fifth day of the fourth lunar month so that her seclusion concludes on that day

Issue ۸۷۴: The termination of the seclusion of the pregnant divorced woman is the birth of her child or its miscarriage, although the child be born an hour after the divorce. Then, she .can marry after that without delay

Issue ۸۷۵: The beginning of the seclusion ('Iddah) of the temporary marriage is after the completion of the established period (of marriage), when she menstruates, in the amount .of two complete menstrual cycles. When she does not menstruate, it is forty five days

Issue ۸۷۶: The beginning point of

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the seclusion of divorce is the moment in which the Seeghah of divorce is executed whether the divorced woman knows of that or does not know. Even when she comes to know after the seclusion ('Iddah) that she had already been divorced before, it is not obligatory upon her to observe a second seclusion.

The Seclusion of a Woman whose Husband has Died

Issue ٨٧٧: It is obligatory upon the woman whose husband has died to observe seclusion for four months and ten days whether the marriage is permanent or temporary, whether he had intercourse with her or had no intercourse with her. Even the menopausal woman is obligated to observe the seclusion of the deceased.

When the woman is pregnant, it is obligatory that she wait until she delivers her child. When she delivers before the conclusion of four months and ten days, it is obligatory that she observe the remainder of the period which completes the four months and ten days.

Issue ٨٧٨: It is obligatory for her in the seclusion of the deceased to avoid covering with decorative clothing and using Kohl (antimony) and all that is counted as an embellishment.

Issue ٨٧٩: When the husband is absent and died on a journey, the beginning of the seclusion of the deceased is from the time when the information reaches his wife.

Issue ٨٨٠: When the woman says: I have finished my seclusion, it will be accepted from her with the condition that it not be a situation of suspicion. Rather, the obligatory precaution is that it should be a situation of

.reliability

The Irrevocable and Revocable Divorce

Issue ۸۸۱: Divorce is of two types: Irrevocable divorce (Baa'in) and revocable divorce (Raj'i). The irrevocable divorce is that divorce in which the man does not have the right of returning (Rujoo') to his wife (the intent of return or Rujoo') is that the man returns to his relationship with his wife without a new contract and they live together as they had been .husband and wife

:The irrevocable divorce has five types

.The divorce of the woman who has not completed nine years of age (۱

.The divorce of the menopausal woman (Yaa'isah) who has passed fifty years of age (۲

The divorce of the woman whom her husband had not had intercourse with her after (۳ .the marriage

.The divorce of the woman who has been divorced three times (۴

.The Khala' and Mubaara'ah divorce whose explanation is coming afterward (۵

Whatever is aside from these are the revocable divorce (Raj'i), meaning that it is permissible for the man to return to his wife during the seclusion ('Iddah) without need of .renewing the contract

Issue ۸۸۲: When a man divorces a woman with the revocable divorce, it is not permitted for him to remove her from the house except in some of the instances which are mentioned in the detailed jurisprudence books. Likewise, it is forbidden for the woman .herself to leave the house for unnecessary activities

('The Rules of Revoking the Divorce (Rujoo

Issue ۸۸۳: It is permissible in the revocable divorce that the man returns to his wife without the need of performing the Seeghah of a new contract. The revocation of

:the divorce is of two types

That the man states words whose meaning is that he accepts the marriage of that (١ .woman a second time

That the man performs an action which implies this meaning (i.e. that he accepts the (٢ .(return to married life

Issue ٨٨۴: It is not obligatory that the man have anyone to witness his return to his wife or inform the woman of his return to her. Rather, it is correct when he says: I have returned .to my wife, without anyone understanding it

Issue ٨٨۵: When a man divorces his wife another time (meaning, a second time), then, marries her or returns to her (in her seclusion and according to the obligatory precaution in every time of intercourse with her) and after seeing menstruation and purity, he can divorce her. In the third divorce, that woman becomes forbidden for him. She will not be lawful for him unless she marries another man in a permanent marriage after the period of seclusion ('Iddah) passes. Then, (if the second husband) divorces her, it is permissible .for her first husband to marry her another time

Khala' Divorce

Issue ٨٨۶: The woman who does not desire to continue living with her husband and fears that if their marriage continues she will fall into disobedience, it is permissible for her to give her dowry (Mahr) or another sum for which he will divorce her. This is called the .Khala' divorce

Issue ٨٨٧: According to obligatory precaution, the Seeghah of Khala' divorce is in the :following manner

When

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the husband himself desires to execute the Seeghah of divorce, he mentions the name of :his wife in it saying

زَوْجَتِى فاطِمَهُ خَلَعْتُها عَلى ما بَذَلَتْ فَهِىَ طالِقٌ

My wife Fatimah is removed for what she has offered, she is divorced

When the husband desires to have his representative execute the Seeghah, then, the obligatory precaution is that he appoints a person from the side of the woman and another person from the side of the man and, when, for example, the name of the husband is Muhammad and the name of the wife is Fatimah, the representative of the woman says

عَنْ مُوَكِّلَتِى فاطِمَهَ بَذَلْتُ مَهْرَها لِمُوَكِّلِى مُحَمَّدٍ لِيَخْلَعَها عَلَيْهِ

On behalf of the person whom I represent I offer her dowry to the person whom you '(represent, Muhammad, in order that he divorce her (as Khala

:Then, the representative of the man says immediately afterward

زَوْجَهُ مُوَكّلِى خَلَعْتُها عَلى ما بَذَلَتْ فَهِىَ طالِقٌ

The wife of the man I represent, he has removed her for what she has offered, she is .divorced

When a woman desires to offer something other than her dowry, it is also obligatory to .mention it at the time of executing the Seeghah

Mubaara'ah Divorce

Issue ٨٨٨: When the spouses, each one of them, dislike each other and the wife offers her dowry or some other property for the man to divorce her, that is called Mubaara'ah .divorce

Issue ٨٨٩: The obligatory precaution is that the Seeghah of Mubaara'ah is executed in the :following manner

When the man himself desires to execute the Seeghah of Mubaara'ah divorce

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:and the name of his wife is, for example, Fatimah, he says

بارَأْتُ زَوْجَتِی فاطِمَهُ عَلی ما بَذَلَتْ فَهِیَ طالِقٌ

I disavow my wife Fatimah for what she has offered, she is divorced

When the wife has offered another property other than the dowry, it is also obligatory for .her to mention it

:When a representative of the man executes the Seeghah, he says

بارَأْتُ زَوْجَهَ مُوَکِّلِي عَلی ما بَذَلَتْ فَهِیَ طالِقٌ

I disavow the wife of the man I represent for what she has offered, then, she is divorced

of course, it is necessary that the wife has already given her dowry before that or .something lesser to her husband in exchange for the Mubaara’ah divorce

Issue ٨٩٠: The obligatory precaution is that the Seeghah of the Mubaara’ah divorce be executed in proper 'Arabic. However, there is nothing preventing the wife from offering :(her property in Persian or any other language (based on the translation of the following

بَذَلَتْ لَکَ المال الفُلانِی لِتُطلَقّنی

.I offer this property of such and such to you in order for you to divorce me

Issue ٨٩١: It is permissible for the woman to seek the return of her offering during the seclusion ('Iddah) of the Khala' or Mubaara’ah divorce. When she gets the return of her offering, it is permissible for the husband to return to her and take her as his wife another .time with no need of a new contract

Issue ٨٩٢: The property which the husband takes for the Mubaara’ah divorce, it is .obligatory that it not be more than the dowry

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Rather, the precaution is that it be less than that. However, there is no objection in the .Khala' divorce that the amount be whatever quantity

Issue ٨٩٣: When the woman makes it conditional at the time of the marriage that by her own she will select divorce if her husband travels or becomes addicted to narcotics or he becomes unable to support her, this condition is invalid. However, when she makes it conditional that she should be the representative on the behalf of her husband, then she will divorce herself in these situations, this appointment is proper and she has the right to .divorce herself in this situation

Issue ٨٩۴: The woman who cannot find her husband and does not know whether he is alive or not, when she desires to seek a divorce and marry another man, it is obligatory that she consult a just Mujtahid and act in accordance to the particular duty mentioned in .the noble law

(The Rulings of Lost Property (Luqtah

Issue ٨٩۵: The lost property which a person discovers, when there is no sign by which its owner can be known (like a dollar or quarter), then, the obligatory precaution is that he give it as charity on behalf of its owner. When (the one finding it) was himself deserving of charity (Mustahiqq), it is permissible for him to take it himself and when it is a significant .sum, he should seek permission of the Religious Authority

Issue ٨٩۶: When the property which was discovered has a sign in it, however, its

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value) is less than a Dirham (a Dirham is considered as ١٢.۶ grains of minted silver), then,) if he can identify its owner, it is not permitted for the finder except with the permission of its owner. When he cannot identify its owner, it is permissible for the finder to take possession of it and gain benefit from it. When it is ruined, it is not obligatory (upon the finder) to give its replacement. Rather, even when he did not have the intention of taking it into possession and it was ruined, without negligence, its replacement is not obligatory .upon him

Issue ٨٩٧: When one intends to substitute the verbal notification (of finding a lost property) to a posted written notification in a place where many people frequent, and, normally, people read the written announcements and those who are educated read for those who are illiterate and this notice remains there for a period of one year, it is .sufficient

Issue ٨٩٨: When it is hopeless before the conclusion of a year to find the owner of something lost or it was hopeless from the onset to find the owner, the obligatory precaution is that (the lost property) be given to the poor as charity on behalf of its true .original owner

Issue ٨٩٩: When notice is given regarding something lost and it was announced for a period of a year or it is preserved in a particular place for lost items and its owner has not become clear, the discoverer of that

.thing has a choice between four matters

To take possession of the lost property with the intention of returning it to its owner (١ when he comes. Then, when that thing does not exist itself (when the owner does return), .he must give its substitute

.That he will save it (for the owner), like (something deposited as) a trust (٢

.To give it in charity (Sadaqah) in the way of Allah on behalf of its owner (٣

To surrender it to the Religious Authority (Al-Haakim Ash-Shar'). The recommended (٤ precaution is to give it in charity on behalf of its owner or surrender it to the Religious .Authority

Issue ٩٠٠: When a property is discovered that will spoil if it remains, like most foods and fruits, it is obligatory to preserve it up to the time in which it does not spoil. Then, its value is appraised and it can be used or it can be sold or it can be preserved for its price. When its owner does not present himself, (the finder) gives it in charity on (the owner's behalf). The recommended precaution is that the permission of the Religious Authority be sought .in (the lost items affair) when its owner was impossible to be found

The Rules of Slaughtering and Hunting

point

Issue ٩٠١: When a lawful animal is slaughtered according to view of the conditions which will be mentioned afterward, it becomes lawful to eat its flesh whether it be domestic or ,wild. Except the animal which a person has had intercourse with. Its flesh is forbidden

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even the flesh of its offspring. Likewise, is the contaminated animal (Hayawan Jallaal-it is that animal which is habitually fed the stool of man), except when it is fed pure food and .purified according to what is mentioned in the Islamic law

Issue ۹۰۲: The undomesticated animal of lawful flesh, like the deer, mountain ram, partridge and animals like these, and similarly, the domesticated animal of lawful flesh which become wild afterward, like the domesticated cow and camel which escaped and became wild, when it is hunted with weapons (according to the method whose .(explanation is upcoming), it is lawful (Halaal

However, when the domesticated animal of lawful flesh is hunted with weapons, it does not become lawful. As such is the undomesticated animal of lawful flesh which has .become domesticated by training

Issue ۹۰۳: The undomesticated animal of lawful flesh does not become lawful except when it is able to flee. According to this, it is not lawful to hunt the small gazelle or the .small partridge that are unable to escape

The Method of Slaughtering an Animal

Issue ۹۰۴: To slaughter an animal, it suffices to sever the animal's windpipe (the passageway of air) and the two jugular veins (they are the two arteries surrounding the windpipe) in a complete manner. However, the recommended precaution is to sever the four passageways, meaning the windpipe (larynx), the two jugular veins in addition to the .esophagus from the lower part of the neck called the Jauzah

Issue ۹۰۵: When some of the passageways were severed and, then, waited until the animal

died, then, severed the remaining passageways, it is of no benefit, the animal is a carcass (Maitah). Rather, even when the wait was not to this extent, but the passageways were not severed in a consecutive manner, as was known before. If the animal has some life .remaining in it, there are objections in it

The Conditions of Slaughtering an Animal

:Issue ۹۰۶: Five matters are conditional in slaughtering an animal

That the one slaughtering be a Muslim. According to obligatory precaution, the Nasibi (۱ and those in the ruling of a non-Muslim who are at enmity with the Ahlul-Bait of the .Messenger of Allah, peace be upon them

That the instrument of slaughtering be made of iron or something from the metals (۲ resembling it. When slaughtering is necessary and the instrument of slaughtering is not found or it is feared that when the animal is not slaughtered it will die and something of metal is not available, it is permitted to cut its throat with any other sharp instrument (like .(glass, stone or wood

That the front part of the body of the animal be in the direction of the Qiblah at the time (۳ of slaughtering. When the animal is faced with its back toward the Qiblah intentionally, its flesh is forbidden. However, when the animal had its back toward the Qiblah mistakenly or out of ignorance of the rule and the issue or it was a mistake in the direction of the Qiblah and the animal was slaughtered in a direction other than the direction of

.the Qiblah, its flesh is not forbidden

That the name of Allah be said at the time of slaughtering. It suffices to say: Bismillah (۴ (In the name of Allah) or Subhaana-llah (Glorified be Allah) or La Ilaaha Illa-llah (There is no God except Allah). It is sufficient that (the saying of the name of Allah) be said in Persian or any other language. However, when the name of Allah is said without the intention of slaughtering, it does not suffice. There is no objection when the name of Allah .is not mentioned due to forgetfulness

It is conditional that the animal, slaughtered has some movement, although it be that it (۵ moves its eyes or move its tail or kick its leg to the ground such that it can be known that it was alive at the time of slaughtering. The obligatory precaution is that a sufficient amount .of blood emerges from the animal

Issue ۹۰۷: It is permissible that the slaughterer be a male or female or an immature child knowing the method of slaughter and its rules. However, the best is that women and .children be excused with the existence of men

Issue ۹۰۸: It is permissible to slaughter animals by mechanical equipment when the .aforementioned conditions are taken into account

Issue ۹۰۹: When a number of chickens or animals are slaughtered together, it suffices to say the name of Allah one time. Likewise, when a large number of animals are slaughtered by equipment at one time (according to other conditions), it

suffices to say (the name of Allah) once. When the equipment operates by repetition .constantly, then, the precaution is to repeat the (mention of Allah's name) constantly

The Method of Slaughtering a Camel

Issue ٩١٠: The five previously mentioned conditions are conditional in slaughtering the camel in addition that the method of slaughtering it is by piercing it with a knife or by any other sharp instrument in its breast plate, it is a depression found at the lower part of the neck, this method is called Nahr. The best according to some of the narrations is that the animal be standing. However, there is no objection in slaughtering it kneeling or laying on .its side and its front part of its body toward the Qiblah

Issue ٩١١: The unruly animal that it is not possible to slaughter according to the legal method, and, likewise, the animal which has fallen into a well and it is not possible to slaughter it according to the legal method and it is probable that it will die there, if it is possible to wound a place on its body with a sharp instrument, like a knife, then, it dies from the effect of the wound, its flesh is lawful. It is not obligatory to face it toward the Qiblah. However, it is obligatory that the other conditions in slaughtering of the animal be .conditional in its killing and that which were mentioned earlier

Issue ٩١٢: Sometimes animals are stunned by electrical shock to ease the slaughtering activities in order to prepare and

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facilitate its slaughter by manufacturing equipment. This action is only devoid of objection when the animal remains alive after delivering the stun to the animal in order to slaughter .it and the animal is alive

The Rules of Hunting with Weapons

Issue ٩١٣: The flesh of lawful undomesticated animals is lawful when hunted with .weapons with the five following conditions

That the weapon be piercing, like a sword, knife, dagger and rifle and whatever is (١ similar to rifles whether its bullets be sharp or not. However, it must be such that it .ruptures the body of the animal and blood flows from it

However, when the hunting is by means of a trap or stick or stone and what is similar to that, it is forbidden except when the animal is reached while alive and slaughtered .according to the legal method

Conditional hunter, according to the obligatory precaution is that he be Muslim or the (٢ child of a Muslim, although he be a young child. However, he should be decreeing and be .able to distinguish between good and evil

That the weapon is used with the intention of hunting. As for when something was (٣ aimed at with the weapon and it struck an animal by chance, the eating of its flesh is .forbidden

At the time of using the weapon for hunting, the name of Allah must be recited. There is (۴ .no objection when it was forgotten

That you reach the animal dead or reach it alive, but there not be a sufficient (۵ opportunity to slaughter it. As

for when there is an opportunity to slaughter it, however, (the hunter) was negligent in (slaughtering it). Then, the animal died, its flesh is forbidden.

Issue ۹۱۴: When an animal is slaughtered or hunted and a fetus emerges from its stomach alive, then, if that fetus is slaughtered according to the legal method, it is lawful, otherwise, it is forbidden.

As for when the fetus dies by the slaughtering or hunting of its mother, it is lawful with the condition that the constitution of that fetus is complete and with the condition that hair or wool has appeared on its hide.

Fishing

Issue ۹۱۵: The lawful fish are those which have scales whether its scales be a few or numerous, small or big. Even fish whose scales are not permanent and drops off in the net is lawful. However, the very fine scales and what is similar that people do not call scales does not suffice.

Issue ۹۱۶: When a fish is captured alive and dies outside of the water, it is pure and lawful. When it dies in a net found in the water, it is lawful also.

Issue ۹۱۷: When a fish is thrown from the water or waves cast it out from the water or it remains on dry land by reason of the ebb and tide and died there, it is forbidden. However, if it is caught by hand or something else before it dies and, then, it dies, it is lawful.

Issue ۹۱۸: It is not conditional that the hunter of fish

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be a Muslim nor that he mention the name of Allah at the time of hunting. However, it is obligatory that he slaughter it. Slaughtering it is taking it out of the water alive or that it dies after falling into the net.

Issue ٩١٩: When fish is taken from the markets of the Muslims or from the hand of a Muslim, it is lawful even though it is not known whether it was captured alive or not. Also, it is not obligatory to investigate that. However, when the fish is taken from a non Muslim, and it is not known whether it was taken from the water alive or dropped in a net alive or dead, it is forbidden.

Issue ٩٢٠: Shrimp which are among the sea animals is lawful. However, the crayfish, which are akin to land insects and the name fish are applied to them, are forbidden and it is not allowed to eat them except at the time of necessity for treatment.

The Rules of Food and Drink

point

Issue ٩٢١: The meat of domesticated sheep, cows and camels, likewise, undomesticated sheep, cows, goats, donkeys and gazelle is lawful. However, the meat of the horse, mule and donkey is disliked (Makrooh). The meat of carnivorous animals, in general, and elephants, rabbits and insects is forbidden.

Issue ٩٢٢: The meat of birds possessing talons is forbidden. Likewise, the meat of birds whose wings remain spread while flying or their gliding is more than their flapping is forbidden. As for the birds who are constantly flapping or

their flapping is more than their gliding, then, its meat is lawful. From this group are types of doves (pigeons), turtledoves and partridges. However, the hoopoe (Hudhud) is disliked .((Makrooh

Issue ٩٢٣: When a piece of an animal is cut while the animal is alive, whether it be fat or .flesh, eating it is forbidden

Issue ٩٢٤: The eating of fourteen (١۴) parts of an animal is forbidden (according to :(obligatory precaution in some

Blood (١

The male sexual organ (٢

The female sexual organ (٣

The placenta (۴

Glands (۵

Testicles (۶

Pituitary Glands (٧

Bone Marrow (٨

.The two yellowish nerves extending along the back from the neck to the tail (٩

The gall bladder (١٠

The spleen (١١

The urinary bladder (١٢

The pupils of the eye (١٣

The nerves that are between the hooves (١۴

This is in large animals. As for small animals like the sparrow, then, there is no objection in .eating that which is not distinguishable or not separable from these things

Issue ٩٢٥: The eating of something filthy by which man's nature is repulsed, is forbidden .(like mucus and similar things) although it is pure

Issue ٩٢٦: It is forbidden to eat or drink things that inflict an important harm for people. Smoking cigarettes and other types of smoking, when it comprises an important harm to people according to experts and research, it is forbidden also. The usage of narcotics .whether it be by injection, smoking, eating or whatever other method, is also forbidden

Issue ٩٢٧: Drinking wine (Khamr) is forbidden and it is one of the major sins. Rather, in some

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traditions it is the greatest of sins. If someone deems wine lawful, if he was mindful that making wine lawful necessitates the denial of Allah and the Prophet, then, he is a non-Muslim (Kaafir). It has been related on the authority of Imam Ja'far As-Saadiq, peace be upon him: The drinking of wine is the key of all evil, and the addict of wine negates his reasoning, removes his light, destroys his manliness and it encourages him to be bold in committing the unlawful. (It causes) the shedding of blood and committing fornication. He does not believe while he is intoxicated that he is jumping to his unlawful deeds and he .does not rationalize that and that his drinking only increases every evil

He said that it is the mother of filth and the head of every evil. There will come to the drinker of wine an hour wherein his intellect is nullified and he is not aware of his Lord. He does not abandon disobedience except by committing it nor abandon the forbidden except by fatigue nor abandon a family relation except by breaking it and there is no .depravity except that he will commit it

He who drinks a drink of wine, Allah does not accept his prayers for forty days. He who drinks one sip of wine, Allah the Almighty and Majestic, His angels, His Messengers and the believers curse him. If he drinks until becoming intoxicated from it, the spirit of faith (Imaan) is withdrawn from his body

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and the feeble-mindedness, filthy, accursed spirit will embark, then, he will abandon the .prayer

Issue ٩٢٨: Intended by wine is every fluid intoxicant. Beer is also counted as one the .wines. Drinking even one drop of wine is forbidden, even less than that is also forbidden

Issue ٩٢٩: Sitting at the table at which wine is being drunk is forbidden. Eating from the .table, when it is man, he is counted as one of them although the food is lawful

Issue ٩٣٠: When the life of a Muslim is in danger by reason of hunger or thirst, it is obligatory upon all that they give him food and water and save him from death. At that time, it is lawful for him to eat some of the unlawful things when he does not find any .other thing besides it

The Recommended acts of Eating

Issue ٩٣١: Performing a number of acts is recommended at the time of eating in hope of :divine reward, they are

.To wash the hands before eating (١

.To wash the hands after eating and dry them with a towel (٢

.That the host begins eating before all and finish eating after all (٣

To say: Bismillah (In the name of Allah) before eating and after finishing eating to say: (۴ Al-Hamdu Li-llah (The Praise is for Allah). When there are a number of types of food on .the table, say Bismillah at the time eating each type of food

.To eat with the right hand (۵

When there is a group of people eating at a table, it is (۶

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.recommended that each one eat from the food that is before them

.That small mouthfuls are eaten (٧

That no hurry be made in eating and lengthen the sitting for food and chew the food (٨ .well

To pick the teeth and remove the food between the teeth and wash the mouth after (٩ .eating

To avoid throwing edibles aside. As for when the eating is in open places, then, leave (١٠ .whatever remains on the table for birds and animals

To eat twice every day, first in the beginning of the day and, second, in the beginning (١١ .of the night

.To eat salt in the beginning of the meal and at its end (١٢

.To wash all fruits with water before eating them (١٣

.To invite someone to the table as a guest to the extent possible (١۴

The Rules of Vows and Covenants

Issue ٩٣٢: The vow (Nazr) is that people make a covenant to perform one of the good acts .for Allah or abandon an act that is better to leave

:Issue ٩٣٣: The vow is of two types

First: The conditional vow. It is like saying: When I am cured of my illness, by Allah it is obligatory upon me to do such and such. This is called the vow of thankfulness (Nazr Ash-Shukr). Or when a such and such bad act is committed, the person says: It is obligatory .(upon me, by Allah that I do a good act. This is called the vow of prevention (Nazr Al-Zajr

:Second: The unconditional vow. It is to say without restriction or condition

I vow, by Allah that I will perform the night prayer or By Allah so and so is obligatory upon .me. Each of these types of vows is proper according to Islamic law

Issue ٩٣۴: The vow is only proper when a Seeghah is executed for it whether it be in .'Arabic, Persian or any other language

Issue ٩٣۵: It is conditional that the act which people vow is desirable legally. According to this, it is not proper to make a vow to perform something unlawful or to abandon .something obligatory or recommended

Issue ٩٣۶: It is not conditional that the particulars and the details of the vowed act be desirable legally, rather, it suffices that its basis be desirable legally. For example, when it is vowed to pray the night prayer in the every night of the beginning of the month, it is proper and obligatory to perform that act. Or when it was vowed to feed the poor in a .particular place, it is obligatory to act in accordance with the vow

Issue ٩٣٧: When someone vowed to abandon an act permanently and has not specified the interval or date, then, if he voluntarily performs that act (again), the atonement (Kaffaarah) is obligatory upon him for the first instance. When the vow was such that each instance of that is independently related to the vow, then, the obligatory precaution is to give the atonement (Kaffaarah) for each instance of breaking the vow. As for when his intention was not as such (to

vow something unconditionally) or he doubted whether it was his intention in the beginning or not or how (his intention was made), only one atonement (Kaffaarah) is .obligatory upon him

Issue ٩٣٨: When something is vowed for one of the mausoleums of the A'immah or the children of the A'immah, upon them be peace, it is obligatory to disburse in that mausoleum in the way of renovation or the preparation of carpets or the lighting or for .the attendants who serve that mausoleum or things similar to that

However, when something is vowed for the Imam himself, peace be upon him, or the son of one of the A'immah without mentioning that mausoleum, in addition to what we have stated, it is permissible to disburse it establishing a mourning assemblies (Majaalis Al-'Azaa') and lamentation for that Imam or to spread its traditions and the traditions of Islam or to help the pilgrims (to that mausoleum) or whatever scope is related to it in a .similar manner

Issue ٩٣٩: The wool of an animal who is vowed for charity of one of the A'immah and its growth is part of the vow. When a child is born before its disbursement in the range vowed or it yields milk, then, the obligatory precaution is to disburse all of that in the same .disbursement (intended in the) vow

Issue ٩٤٠: When the father or mother makes a vow that they will marry their daughters to .(a Sayyid (Haashimi), there vow is not to be considered (as valid

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.Whenever the girl becomes mature, the choice is in her hands

Issue ٩۴١: The act (made obligatory) by an covenant ('Ahd) is obligatory like the act of a vow with the condition of executing the Seeghah of an oath, like saying: I swear by Allah that I will not do such and such action. As for when the Seeghah is not executed or that .(action was not desirable legally, the oath is not considered (as valid

Issue ٩۴٢: He who has not fulfilled his covenant with the aforementioned conditions, the atonement (Kaffaarah) is obligatory upon him additionally. The atonement of the covenant is like the atonement for the vow, meaning feeding sixty (۶٠) poor people or .fasting two consecutive months

The Rules of the Oath

Issue ٩۴٣: When someone swears an oath (Yameen/Qasam) it is obligatory that he act according to this oath when the following conditions are present, otherwise, the .atonement (Kaffaarah) is obligatory upon him

That the one swearing be sane and mature. When the person is swearing an oath (١ regarding his property it is conditional that he not be an incompetent (Safeeh) or prevented from disbursing his property by the Religious Authority (Al-Haakim Ash-Shar') and that his swearing be with proper intention and free will. Then, the oath of a child, the insane, the compelled and the one financially restricted (in utilizing his property) is not proper. Likewise, the oath of the one swearing in the state of anger when he swears .without proper intention and volition

The action which is sworn to (٢

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be established is conditional that it not be unlawful nor disliked (Makrooh) or that his abandoning something is not something that is obligatory nor recommended. When the oath was to perform a permissible (Mubaah) act, it is obligatory that it not be of those acts whose abandonment is better than its performance in the view of people. Likewise, when the oath is to abandon a permissible (Mubaah) act, it is obligatory that it not be (of those .acts whose) performance is better than is abandonment in the view of people

When someone swears with the name of Allah be He Exalted, whether it is one of which (٣ is not applied to another besides Allah, like the word Allah or whatever is its equivalence in another language. Or it is a name which is applied to other than Allah also, however, it is known from context that his intention is Allah, rather, when he swears by the names from which Allah the Exalted is not understood without an indication, but he intended Allah the .Exalted, then, the obligatory precaution to abide by his oath

It is conditional) that the oath be executed by the one swearing's tongue. Then, it does) (۴ not suffice when he repeated it (only) in his heart. The precaution in writing (an oath) is to act in accordance with it. However, the mute person when he swears by gestures, it is .proper

The action sworn to be possible. When, at the time of swearing it was possible, but (۵

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he became unable (to perform it) afterward or there is great difficulty in (performing it), his oath will be invalidated from the time when the new situation overtakes him (meaning .(the inability befalls him or the difficulty

The Rules of the Will

Issue ٩٤٥: The will (Wasiyah) is that people seek to establish a particular act after their death. This will is called the covenant will (Al-Wasiyah Al-'Ahdiyyah), like someone making a will regarding matters related to his burial shroud (Kafan), the place of his burial and his ceremonies. Or someone makes a will that part of his property is the possession of an individual after his death. This will is called the will of transfer of property (Al-Wasiyah At-.Tamleekiyyah). Or he specifies a caretaker or guardian for his children

Issue ٩٤٦: It is permissible for he who intends to make a will that he note what he desires by words or writing. When he is unable to speak or write, it is permissible to make a will by .gestures which convey his intent

Issue ٩٤٧: In addition to the will, it is permissible to perform all of transactions (Mu'aamalah) by means of writing or undertaking an action according to what is common in our present time whereas records are completed by the method of receipts and signing .it. However, in marriage and divorce, it is objectionable to be content with writing

Issue ٩٤٨: Conditional in the one making the will is that he be mature (Baaligh) and sane ('Aaqil). However, the child who is in the

age of ten who can distinguish between good and evil, when he desires to will a certain righteous act, like building a Masjid and school and hospital or he wills some matters for his relatives (that are) appropriate and reasonable, his will is proper.

As such it is conditional that the one making the will not be incompetent (Safeeh) nor restricted from utilizing his property by the ruling of the Religious Authority and that he make the will with intent and free will and is not compelled nor forced.

Issue ٩۴٩: When people witness the effects of death and its signs in themselves it is obligatory upon them to surrender deposits (Amaanaat) and immediately return them to the (appropriate people). Just as it is obligatory upon he is indebted and the term of his debt has arrived (it is obligatory) that, without delay, he will immediately pay it. When it is not possible that he can act like that or the term of payment of his debt had not arrived, it is obligatory that he make a will (regarding it). When he is not content that they will come to know of his will, it is obligatory upon him to bring someone as a witness for it. When he is content that his heirs will pay his debts, a will is not obligatory upon him.

Issue ٩۵٠: He who witnesses the effects of death and its signs and has Khums, Zakah and the restitution of an injustice obligatory upon him, it is obligatory

that he immediately set out to pay that which is obligatory upon him. When that is not possible, then, if he has property or does not have property but there is a probability that .(his relatives will pay it on his behalf, it is obligatory that he make a will (to that effect

Likewise, when one has an obligatory pilgrimage upon him and when the Qadhaa' of a prayer or fast was in his responsibility, it is obligatory upon him to make a will, according to obligatory precaution (with the observance of that which has passed in the prayer and .(fast for hire

Issue ۹۵۱: He who has a debt, an obligatory pilgrimage, Khums, Zakah and whatever is similar to that in his responsibility, and, then, dies, it is obligatory to pay these matters from the principle of his property, although he had not made a will. When some is in excess, if he had willed to disburse of third of it or something from its third in a particular .area, it is obligatory to act according to his will

When he had not will anything to anyone, there is not third for him, rather, whatever is in .excess of the payment of his debts is for his heirs

Issue ۹۵۲: It is not permissible for people to make a will for more than one third of his property, except when the heirs give permission for that, whether this permission was before his death or after his death. It is not permissible for the

heirs to revoke their permission after his death, whether they had permitted it and given permission before his death or after it, according to obligatory precaution.

Issue ٩٥٣: When there were various will for various actions for a person and the third (of his property) is not sufficient, it is obligatory to act according to what has come in his will in the first sequence. Then, the first until it reaches a third and the remaining will is invalid (except with the permission of his heirs)).

As for when one mentions in his will the obligatory acts (like the pilgrimage, Khums, Zakah and injustices) also this part of the will is taken from the principle of his inheritance and the remaining from the third.

The Rules of Inheritance

point

Issue ٩٥٤: The heirs whom inherit from the deceased due to relations are of three levels:

The first level: The father of the deceased and his mother and his children and the children of his children in the state of lacking the existence of (his own) children, although they descend (the family tree, of course the closest, then, the next closest to the deceased). As long as there is one from the first level, there is no inheritance from the second level.

The second level: The grandfather of the deceased and his grandmother, although they ascend (the family tree-be they from the side of the father or the side of the mother). Also, the brothers and sisters and their children with the lack of their existence (meaning, the existence

of brothers and sisters) and the children of their children, although they descend (the family tree-the closest to the deceased, then, the next closest). There is not inheritance .from the third level as long as there is one person from the second level

The third level: The paternal uncle and the paternal aunt and the maternal uncle and the maternal aunt, although they ascend (the family tree) and their children, although they descend (the family tree-the closest inherits from the deceased, then, the next closest). As long as there is someone from the paternal uncles and aunts and the maternal uncles and aunts alive, their children do not inherit. As long as one of their children is alive, the children of their children do not inherit. There is one exception and it is when the deceased has a uncle from the side of the father and a cousin from the side of the father and mother. The father's uncle does not inherit. The property is for the cousin from the .side of the mother and father

Issue ۹۵۵: When the paternal uncle of the deceased does not exist, nor his maternal aunt nor his maternal uncle nor maternal aunt, nor their children, the cycle will arrive at the paternal uncle of the father of the deceased and his paternal aunt and his maternal uncle and his maternal aunt. When also these do not exist, their children inherit. When their children also do not exist, the paternal uncle of (the deceased's) grandfather and

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his grandmother and the maternal uncles and aunts. When these do not exist, their .children inherit

Issue ٩٥٦: The two spouses inherit from one another in the manner whose details and .explanation will come in the adjoined issues

Inheritance of the Wife and Husband

Issue ٩٥٧: When a permanent wife dies and she does not leave any children, her husband inherits half of the property and the others inherit the remaining (half). When she has children from that husband or from another husband, the husband inherits a quarter of .the property and the remainder is for the remaining heirs

Issue ٩٥٨: When the husband dies and he does not leave any children, his permanent wife will inherit a quarter of the property and the remainder is for the remaining heirs. When he has children from this wife or from another wife, his wife will inherit an eighth of the .property and the remainder is for the remaining heirs

Issue ٩٥٩: The wife inherits from all of the transferable property of her husband, she does not inherit from land or its value, whether it be a house or a garden or agricultural land or whatever is similar to that. Likewise, she does not inherit from real estate itself, like a building or trees. It is obligatory to appraise the real estate or trees, then, give her from .its value

Issue ٩٦٠: Decorative clothing, jewelry and whatever is similar to that from what (the deceased has) acquired. The man, it is for his wife and she for her husband. It is not considered

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as part of the estate, except when it is established that he had not intended for her to .take possession of it, rather, she was wearing it in a manner like borrowing

Miscellaneous Issues of Inheritance

Issue ٩۶١: When a man dies, his Qur'an, his ring, his sword and the clothing which he was wearing or he had prepared to wear, is for his eldest son. When there were more than one these four items for the deceased, for example, two Qur'ans or two rings, then, if he .had used them in his life, they are all for his eldest son

Issue ٩۶٢: When there was a debt obligatory for the deceased, then, if the debt is in the amount of his estate or more, these four things are not given to the eldest son. Rather, it .is obligatory to pay his debt with it them

However, when his property was more than his debt such that there remains a considerable amount after payment of his debts, it is obligatory to give these four things .to the eldest son

Issue ٩۶٣: The Muslim can inherit from the non-Muslim but the non-Muslim does not .inherit from the Muslim, although he is the father of the deceased or his son

Issue ٩۶۴: When someone intentionally kills his relative wrongfully, he does not inherit from them. However, when his heir killed him mistakenly (like he throws a rock in the air and it strikes a relative by chance and kills him), he does not inherit, in this situation from the blood money

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.(Diyah) of his killing (according to precaution)

Issue ٩۶۵: When from the deceased there was a child in the stomach of his mother and there are others from his level, like children, the father, the mother, it is obligatory to divide the inheritance setting aside a share of two children for the infant who is in the stomach of his mother. Then, if (the infant) is born alive, he inherits. If it was a son or daughter, they are given their share and the remaining inheritance is divided among the .heirs

When there was no one other than (the child) in his level, then, if the child is born alive, all .of the property is for him, otherwise, it is divided among the heirs

The Rules of Defense And Enjoining Good And Forbidding Evil

Issue ٩۶۶: It is obligatory for Muslims as a whole to defend their Islamic nations and its borders against attacking enemies by all means, like expending property and persons and other than that. There is no need of the permission of the Religious Authority (Al-.Haakim Ash-Shar'i) in this matter

The aim of the defense system and organization of efforts is necessary to be in a complete manner specifying a leader or leaders possessing knowledge and information .and are an object of reliability under the observation of the Religious Authority

Issue ٩۶٨: When the Muslims fear the foreigners' designs for domination of Islamic nations and that they act to conspire directly or by way of their agents internally and externally, it is obligatory upon every responsible person (Mukallafeen) to stand

.in opposition to that and defend the Islamic nations by whatever means possible

Issue ۹۶۸: When the affect of an expanding political, economic and business influence of foreigners is their domination of Islamic nations, it is obligatory upon the Muslims to .prevent their influence and cut their hands

Likewise, in the scope of agreements of relations and political ties with non-Islamic nations, it is obligatory that (these relations) not become a cause of the weakening of Muslims and their incapacitation or their falling as captives in the clutches of foreigners or .becoming their economic and business subordinates

Issue ۹۶۹: It is obligatory upon every sane and mature person to enjoin the good and :forbid the evil with the following conditions

That the one enjoining good and forbidding evil has certainty that the other party has (۱ .done the forbidden or abandoned the obligatory

That there is a probability in the effect from the one enjoining and forbidding in (the (۲ other party), either now or later, in a complete manner or in a incomplete manner. .According to this, when one's enjoining and forbidding has no affect, it is not obligatory

That in enjoining or forbidding there be no fear of corruption or harm. Therefore, when (۳ one knows or fears that his enjoining or forbidding has a considerable harm in it for .himself, his goods, his property or some of the believers, it is not obligatory

However, when the evil or good are matters to which the sacred Islamic lawgivers have attached great importance (like protecting Islam

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and the Qur'an and the independence of the of Islamic nations or protecting the imperative Islamic laws), it is obligatory not to pay attention to the harm, rather, strive to .protect these matters by expending the self and precious things

Modern Issues

Bank Transactions Institutions of (Interest) Free Loans (١

Issue ٩٧٠: Properties which people deposit in banks under the title of active accounts are considered as interest free loans to the bank. It is permissible for people to take it back and withdraw it when the please. When this is done for compensation as a profit, it is forbidden and the loan is invalid and it is not permissible for the bank to utilize the deposit .in this situation

Issue ٩٧١: Short term and long term deposits which people deposit in Islamic interest free banks, the profit which the bank pays is only lawful for them when it is according to Islamic measures and the methods of Islamic contracts and agreements (of various types, like silent partnerships, partnerships, etc.) and the owner of the money is certain or there is a considerable probability that the bank establishes this contract and acts in a .legal manner as a representative and authorized agent of the owner of the deposit

As for when it is known with certainty that these matters are only for appearance and .superficial and merely ink on paper, that profit is unlawful

Issue ٩٧٢: Whatever individuals receive from banks under the title of interest free loans (Qardhul-Hassanah) and loans other than that and, then, something is added to the loan

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at the time of returning the amount to the bank, it is only lawful when the transaction is completed in a legal manner according to the methodology of Islamic agreements and .there is no impression of interest

Issue ٩٧٣: When people know of the existence of lawful money and unlawful money in the bank, however, they do not know the money which they are receiving is from the unlawful, there is no objection in receiving it. However, when they are certain that the money which they have received is taken from unlawful money, it is not permissible for them to utilize it. It is in the ruling of lost property. Due to this, it is obligatory to donate (this unlawful money) in the way of Allah with the permission of the Religious Authority on behalf of the original owner, according to obligatory precaution. In this issue, there is no difference between foreign banks and domestic banks, governments or non-government .banks

Issue ٩٧٤: There is no objection in taking interest from foreign and non-Muslim banks. It is .unlawful to take interest from banks which belong to Muslims

Issue ٩٧٥: There is no objection in bank transfers (drafts, checks) from foreign banks, meaning that the bank or a businessman takes money from one country (or city) and transfers it to another bank or another individual in another country (or city) in order to receive a sum from (the one desiring the transfer). In exchange for this transfer (the banks) receive something from the owner of

p: ٢٩٨

the money as compensation. This transaction is lawful whether the fee of the transfer is deducted from that transferred amount itself or the bank or businessman receives it in an .independent manner

Likewise, when the bank or another institution gives a sum to an individual and this individual transfers it in order to surrender it to another branch of this bank or another person in another place, if an amount of the money is taken as a gratuity fee for this .transfer, there is no objection in it

Issue ۹۷۶: When mortgage banks and others give a loan with the condition that they profit and take collateral (as a deposit), the loan is invalid and unlawful and the collateral is as such (unlawful for the bank). The bank does not have the right to sell the collateral in order to ensure its rights. It is like someone selling something the bank does not own, .except when the profit was established according to the method of legal contracts

Issue ۹۷۷: The fee which is received in offices of interest free loans in exchange for services which this office provides or (in charges it in order) to preserve and organize the accounts of installments and compensation (of these installments), there is no objection in it. However, the precaution is that the amount is appropriate for the volume of work and maintenance which the office bears, except that they are receiving a profit from the .loan with the name of a gratuity fee

Issue ۹۷۸: Some interest

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free loan offices assign something from the (loan's) principle for business' activities or production (costs) in order to secure from its proceeds, the expenses of the office and the (expenses) of loans that are unpaid at times. This activity is only permitted when the owner of the money and deposits are knowledgeable of it and consent to it and (the bank) .utilizes the proceeds of this investment only in the maintenance of the office

The Rules of The Promissory Note (٢

Issue ٩٧٨: The (term) promissory note (Kampayaalah) is applied to the paper which is not a type of currency, rather, it is a certificate of a financial debt. Due to this, no transaction :occurs with it. It is of two kinds

A Real Promissory Note. It is considered as the certificate which the debtor gives in (١ .compensation for his debt to the creditor

The Friendly Promissory Note (or I.O.U). It is that which an individual gives without it (٢ being in compensation for a debt. The intent of this promissory note is (that one) gives this certificate to a third person and he takes from that person an amount of currency .less than what is written in the promissory note

Issue ٩٨٠: When someone gives a Real Promissory Note to another person and he transacts with a lesser amount, like he gives a certificate whose amount is one hundred Dinaar at the time of its realization after three months, in exchange for receiving ninety Dinaar cash. The Real Promissory Note (valued at) one hundred Dinaar, which is the actual

.liability of the debtor, is sold for ninety Dinaar cash

This transaction is called Decreasing Promissory Note and it is proper and there is no objection in it. However, the execution of the Friendly Promissory Note is objectionable because a true debt doesn't exist. The methods mentioned to resolve this difficulty are .(also) not, without exception, free of objection

Issue ٩٨١: It is lawful to approach the signatory of the Promissory Note, meaning the giver of the promissory note, when he had not paid his debt in the established time, it is permissible for the creditor to take his debt from that which they had placed on the Promissory Note. In reality, the one given the promissory note is liable to the debtor such that when (the debtor) pays his debt (the holder of the promissory note) must go to pay his debt. This type of liability is said to add responsibility upon responsibility and it is .proper

Issue ٩٨٢: Transactions with salable notes or that which is called money exchanges is permitted, meaning to exchange Syrian currency, for example, with Iranian currency or Jordanian currency with Marks or dollars. There is no objection in the increases and .reductions in it

However, to give a loan to someone as an amount of money whether it be in the currency of an Islamic nation or foreign currency, it is permitted only that he receive the same .amount from him. Whatever excess is interest and unlawful

When a loan is given to someone in the amount of

p:٣٠١

foreign currency, for example, one hundred Marks, then, the debtor becomes in compelled to pay in compensation of another currency, it is obligatory to figure the .common market value, except when the creditor was agreed with less than that

(Key Money (Sarqufali(٣

Issue ٩٨٣: Key money is considered as the right of priority which a lessee obtains in a property in compensation of a sum which he pays in the beginning to the owner. In accordance with that, the lessee is he who pays the key money for priority over others in renting that property in the future. This key money was not (done) in the past, it is now existing among the intelligentsia of the people of 'Urf. It is proper with the following :conditions

That the amount of the key money be known and that the two parties execute this (١ .transaction with their consent

That (the two parties) be mature (Baaligh), sane ('Aaqil) and sensible (Rasheed) and (٢ .that they know the meaning of key money and its requirements

Issue ٩٨٤: It is permissible for the owner of the property to rent his property to a person and receive a sum in addition to the payment under the title of key money. In this situation he is not able to rent the property which he has rented to another, although the .period of the lease has terminated

However, when the first lessee who paid the key money agrees, it is permissible for the owner to rent it to another person. The right of the first

lessee also is that he may consign that property to another person for a lesser value or more than what he himself paid in the beginning under the title of key money to the owner of the property.

Issue ٩٨٥: When the term of the lease of the property for which the key money was taken terminates, the owner is obligated to rent it to that same lessee or another person the present lessee consents to. The amount of the payment is the actual honest value and according to reliable experts.

Issue ٩٨٦: He who rents a property and does not pay a sum under the title of key money, when the term of lease terminates, it is not permitted for him to remain in that property without the permission of the owner of the property. When he does not leave the property, he is considered a usurper and is liable for the property and liable for an equitable payment, whether the first term of rental was short or long, whether the value of this payment was elevated or not. When another person rents the property from this person, its rental is not proper, except with the permission of the owner.

Issue ٩٨٧: He who rents a property for a period of time along with paying the key money to its owner, it is permissible for him to rent that property to another person for that same amount as long as the term of the lease remains (in effect). However, it is permissible

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that he take the right of key money by any amount he can complete the agreement with. The consent of the owner of the property is also conditional in transferring the rental, .except when he consigns this right to the lessee in the beginning of the matter

Rules of Insurance(۴

Issue ۹۸۸: Insurance is a contract between the insured and the insurance company or he whose (business) is insurance. According to this, the foundation of establishing this (type of) company or that (type of insurance vending) person is the compensation of losses which are related to people or something (else) in exchange for (the amount) paid to that .company or individual

This company, contract and independent transaction, when executed with the conditions, which will be mentioned in the upcoming issues, is proper whether the insurance is a kind of commercial manufacturer's (insurance) or construction or building or car or boat or airplane or employee and worker's or life insurance or the various types of insurance .known to the knowledgeable in our present time

Issue ۹۸۹: It is a condition that the two parties in the insurance contract be sane ('Aaqil), mature (Baaligh); that they execute the contract of insurance with (clear) intent and free will. (It is also obligatory) that they not be incompetent (Safeeh). Likewise, it is obligatory, in addition to what was mentioned, that they specify all of the particularities. In brief (they :(are

?Specification of the basis of the insurance, is it building, or care or individual insurance (۱

Specification of the two parties (۲

p: ۳۰۴

.of the contract

Specification of the installments and, likewise, the amount that the insured is obligated (۳ .to pay

.Specification of the period of insurance, for example, from now up to a year (۴

Specification of the risks which bring about damages, like the risk of burning, thunder, (۵ .drowning, theft, death, illness or whatever other risk

Specification of the value of the amount which is from the revenue of insurance, for (۶ example, to insure this house for a million Dinaar or more or less or by the current equitable value. All of these situations necessitate that one observes the universal .principles in the habits of the intelligent

Issue ۹۹۰: It is permissible to execute the wording of (the contract of) insurance in any .language possible or that the contract be written on paper and signed

(The Rules of Artificial Insemination (For Women(۵

Issue ۹۹۱: It is permissible to enter (implant) the sperm of man into the womb of his wife by injection or other means. However, it is obligatory the prerequisites of the action be .permissible and lawful and that the forbidden and unlawful are avoided

Issue ۹۹۲: It is not permissible to implant the sperm of a non-related man in the womb of a woman, whether it is with the permission of the woman or without her permission, whether she has a husband or not, whether her husband gives permission for that or not. If they do this and a child is born from it, if it resulted from confusion that a man thought it was for his wife or the

wife thought it was the sperm of her husband and, later, it appeared otherwise, the child .is from the same couple and the rules for the child will apply

However, when this comes about with knowledge or intent and (awareness) that it is unlawful, the child born from this sperm is not considered a child for the two and the rules of inheritance do not include the child. As for when the child is a girl, it is not permissible for the owner of the sperm to marry her. Likewise it is in the remaining issues related to .marriage

The Rules of Transplanting Organs and Postmortems(۶

Issue ۹۹۳: It is permissible to transplant the heart, kidneys and other organs, whether they be organs transplanted from a living person or deceased, whether the deceased be a Muslim or non-Muslim. However, it is not permissible to extract the organ from the body of a deceased Muslim and transplant it in the body of another person, except when the life of a Muslim depends upon it or there was another need. In every situation, if the organs of a deceased Muslim are extracted, there is blood money (Diyah). Its payment is .obligatory according to what is established in the detailed books of jurisprudence

Issue ۹۹۴: When the deceased gave permission in the state of his life that his organs should be put at the disposal of others for transplant into their bodies or his guardians give permission after his death for that, the ruling of blood money and the remaining rulings are not

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.changed. The precaution is to pay blood money in every situation

Issue ٩٩٥: It is only permissible to extract the organ of living people and implant it in other people as is usual and known in kidney transplants where one of the kidneys of a living individual are extracted and transplanted in the body of one whose both kidneys are damaged, when its owner consents and it does not expose his life to danger. The precaution, when taking a sum in exchange for that (organ), it to put the (payment) as exchange for his permission for this action, meaning, taking his organ from him, not in .exchange for the organ itself

Issue ٩٩٦: The injection of human blood in the body of another human for treatment is permitted or for surgical activities or to save the life of a person, whether it be the blood of a Muslim or non-Muslim, a man or woman. There is no objection in selling and buying .blood for this purpose

Issue ٩٩٧: When an organ is separated from man, be he dead or alive, and transplanted in the body of another such that it becomes part of the body of the second person, it is not impure (Najis) nor part of a corpse (Maitah) in this situation. As such, there is no objection .in prayer with it

Issue ٩٩٨: It is permitted to dissect (as in a postmortem or autopsy) the body of the :deceased Muslim for medical purposes with a number of conditions, they are

That the (١

p: ٣٠٧

purpose is education and to supplement known medical facts in order to save the lives of .Muslims and that is such that it cannot be achieved except by a postmortem

.That the dead body of a non-Muslim is not available (٢

That (doctors) are content with the necessary extent (for their purposes). Therefore, (٣ .whatever is in excess of that is not permitted

Then, a postmortem with these conditions is permissible, rather, obligatory, at times. .These conditions, however, are not conditional for the dead body of a non-Muslim

Issue ٩٩٩: Touching the bodies which are submitted for postmortems, when the deceased was a Muslim and had already been given the baths of the deceased (Ghuslul-Amwaat), does not necessitate the Ghusl for touching the dead body (Ghusl Massil-Mayyit). In other than this situation, the Ghusl for touching the dead body is obligatory when one intends to pray or whatever has purity (Tahaarah) conditional in it. When (performing the Ghusl) brings about difficulty and distress, it is permitted to make Tayammum as a substitute for .Ghusl

When the postmortem is on bones only, not flesh or on detached flesh, like the heart, veins and brain and whatever is similar to that, then, there is no Ghusl. The best, if one is able, is to wear gloves, then, in this situation, there is never a Ghusl (obligatory) for the .one touching

Issue ١٠٠٠: There is no blood money in the instances in which it is legally permissible to do .a postmortem on the body of man

A number of Important Issues (People) Frequently Face

It is permitted ١

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to remain in the followership (Taqleed) of a deceased (Mujtahid). When the deceased (Mujtahid) was the most learned (A'alam), remaining (in his Taqleed) is obligatory (in the .(manner which we have mentioned in the discussion of Taqleed to the most learned

When Mixed Water is of a very large quantity such that an impurity falling in one place is ٢ not a cause of a ripple to the other side (like a large pool filled with Mixed Water), then, all .of it does not become impure with contact by an impurity

When an animal is slaughtered by unlawful methods, it is pure (Taahir) although eating ٣ its flesh is forbidden. According to this, the hides of animals imported from non-Islamic .countries are pure when we know that they are from slaughtered animals

Mega-cities are cities in which each locality is an independent city. As for the likes of ۴ Tehran and those cities like it, it is not a mega-city. As far as the intent of residency or its .being a hometown, all of it is considered one place

He who intends to remain in one place for an extended period (like students who intend ۵ to reside in the Howzah 'Ilmiyyah for a number of years or traveling employees who reside in one place for two, three or more years and do not travel from that place except for specific purposes, the place of their residency is in the ruling of a hometown and their prayers there (are performed) in full, although they

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.had not made the intent to reside there for ten days

He whose occupation is driving (like drivers who work in open areas) or travel is a ۶ prerequisite of one's employment (like those who reside in a city and leave it to travel to cities for studies or other occupations) and the total of their going and coming is eight Faraasikh (۴۳Km/۲۶.۷ Mi), their prayers (are performed) in full and it is obligatory for them .to fast in the month of Ramadhan

When something from a year's expenses, like a house, carpet, furniture and other ۷ necessities, are sold in that (time coming after a year), Khums is not attached to its value, .in particular, when they intend to replace it with its equivalent

It is permissible to cut the head of an animal by mechanical means when the legal ۸ conditions mentioned in the discussion of slaughtering animals are observed. The likes of .this animal is pure and lawful

It is permissible to sell and buy radios and televisions and miscellaneous instruments ۹ .which have lawful benefits and is considered lawful

.When a fish dies in the water after being captured in a net, it is lawful ۱۰

Interest schemes which do not have the intent of a gift as is common are invalid. ۱۱ Whereas a loan is given to someone, then, a settlement is made in its profit which, for example, could total hundreds of Dinaar with a Kilo of sugar and whatever is similar to that (it is invalid) and there

p:۳۱۰

.(is no basis for it. The additional amount is considered interest (Ribaa

Bank transactions whether they are short term or long term deposits or loans which ۱۲ individuals receive from banks. The profits which are considered as compensation for that (transaction) are only lawful when they conform to legal measures and are completed according to the method of Islamic agreements and the one giving and receiving are certain or there is a reasonable probability that the responsible (employees) .of the bank have established this activity in a legal manner according to their duty

As for when it is certain that these matters are superficial and imaginary and only ink on .paper, that profit is unlawful for both parties

Many people give a sum as a security for a house and receive a discount in payment. ۱۳ This action is proper in one instance and invalid in another instance. When the house is rented and the contents of the lease agreement stipulate that a sum be given under the title of a loan and the house is put up as a security, then, the transaction is proper. However, when the loan and the security were realized first and the contents of the lease .agreement stipulate that the payment is reduced, this is unlawful and invalid

Liability of another, be it in the situation of transferal of responsibility (meaning, that ۱۴ one make an agreement to pay a indebted person's debt) or in the situation of “adding responsibility to responsibility” (meaning that one make an agreement

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to establish the payment of a debt when the debtor does pay it), it is proper and lawful in both instances.

Uncultivated lands do not become the property of anyone by mere registration, rather, ١٥ it is necessary to revive it, meaning to prepare it for cultivation.

The one to be punished is not limited to strokes of the stick, rather, it includes financial ١۶ penalties, prison, even identification of the criminal through means of notification and also whatever is comprised of that from the various types of punishments (of course, the selection of one of these matters is related to the opinion of the Religious Authority as is the manner of punishment and its particularities and remaining related matters).

In the Islamic covering (Hijaab), there is no distinction in the type of dress or its color, ١٧ rather, it is obligatory to cover the entire body besides the face and hands. However, wearing decorative clothing is not permitted, although the body is not visible. It is foremost to observe the conduct of the people of piety and religion among the Muslims.

Real individuals and individuals (involved in organizations, or corporate individuals) can ١٨ be owners (of properties). It is permissible that they be one party in a transaction. According to this, if a charitable or domestic institution which is established has (corporate) individuals, they do not differ from real individuals.

١٩It is permissible that writing and signatures occur in all transactions in place of executing a verbal formula (Seeghah), except in Marriage and Divorce

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.wherein the obligatory precaution is to execute the verbal formula

Cigarette smoking and the remaining types of smoking, when it contains an important ٢٠ harm by witness of experts, is forbidden. However, narcotics are forbidden without .exception

Selling and buying blood in order to save the life of an ill person is permitted. However, ٢١ in selling and buying limbs of the body, like the kidney or something similar, then, the precaution is that when one wants to receive money, it will be accepted as compensation for his permission to remove the organ not compensation for the organ itself. .Fundamentally, this action is permissible when it does not result in danger for the donor

The seller and purchaser are free in specifying the price of a commodity. However, ٢٢ when this freedom is a cause of corruption and disruption of the economic system in Islamic societies, in some instances, it is permissible for the Religious Authority in these circumstances to set the price of commodities and require people to (adhere to those .(fixed prices

Defense of Islamic nations is obligatory and it is not limited to the countries in which ٢٣ people may live, rather, all Muslims in the world are obligated that some of them defend .Muslim nations or Islamic Holy Lands from foreign aggression

Mudhaarabah (silent partnership) is that an individual or individuals assign property ٢٤ and establish that an individual or individuals act (in a agreed upon manner) with that sum. The profit is divided between the owner of the property and

p: ٣١٣

the one acting in accordance with the contract and agreement, each having a share of .the profit

It is not obligatory in Mudhaarabah that (the money) be in minted gold or silver, rather, ٢٥ Mudhaarabah is proper with any type of property. Just as it is not conditional that the assignment of property be in trade matters, rather, the assignment of property in matters of production is proper (like manufacturing, agriculture, herding and whatever is similar). According to this, it is permissible to sell the shares of the one transacting and .manufacturing and the benefit resultant from its usage

It is not necessarily conditional in Mudhaarabah that the share of the two sides be ٢۶ according to a collective deduction from the benefits (in other words, one half or one third or similar to that), rather, it is permissible that one of the two sides specifies an amount of the profit for himself saying: I give this property to you in order that you transact with it (with me as the silent partner), in exchange you will give me one hundred Dinaar from the profits of the transaction with the condition that the aforementioned silent partnership .produces more profit than this amount. Otherwise, the Mudhaarabah is not proper

The Mudhaarabah which banks establish with individuals who approach them, when ٢٧ the aforementioned legal conditions are observed and it is not merely ink on paper, is .proper and the profit obtained from it is lawful

Whatever loss is incurred without the negligence of the ٢٨

p: ٣١۴

one transacting is connected to the principle (Ra'sul-Maal) and it is not permitted to make it the expense of the one transacting or divide it between (the one transacting) and the .owner of the property

The time of the Azaan of Fajr (for prayer and fasting) in the moon-lit and non-moon-lit ٢٩ nights is one (in the same). The standard is the appearance of light of the east in the .horizon, although it may not appear due the affects of the sun's radiance

It is permissible to dissect the body of man for medical purposes with the condition ٣٠ mentioned in Issue ٩٩٨. We have already explained the ruling of touching the dead in .Issue ٩٩٩

A check (Sakk) and Promissory Note (Kampayaalah) are of two kinds: Sometimes, the ٣١ indication is that one has a right over another (like when someone sells something and the purchaser gives him a note for the amount). In this situation, it is permissible to pay the note as a deferred payment for a period of time to that individual (the current owner of the note) in order to take a lesser sum of cash than what is on the note. However, when .there is no debt in compensation for this note, there is an objection to this transaction

It is not permissible for interest free banks to make conditions for the borrower, in ٣٢ other words, to make a condition in compensation for the loan which (the bank) offers to (the borrower, like saying to (the borrower

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that you must open an account with us and have pre-existing savings or make it a condition to receive a gratuity fee. According to this, it is obligatory that the gratuity fees that it receives from customers are something independent and have no connection to .the loan

It is customary among people that they give a loan to the owner of a house and they ٣٣ take the house as a security and they make conditional in the contents of the contract that they have the right of residence in this house or (that they) give a reduced payment .and smaller sum. This transaction is (related to) interest and forbidden

The proper method is that first the lessee rents the house, although it be with an insignificant amount. Then, it is made conditional in the contents of the lease contract that a sum of money is given like a loan from the renter for the owner. The house is a security in compensation for this money. Then, in this situation, there is no interest in this .transaction and the transaction is proper

Friday Prayer. Salatul-Jumu'ah (Friday Prayer), as we had mentioned in Issue ٢٨٩, is ٣۴ obligatory in the time of the sacred lawgiver (the Holy Prophet, may the Blessings of Allah be upon him and his family), the Infallible A'immah, upon them be peace (and the time of) the specific representative of the Imam. However, in the time of the absence of the Imam Al-Mahdi (may our souls be his ransom) it

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is Waajib Takhyeeri, meaning that if any one of the two prayers, in other words, Friday Prayer and Salatuz-Zuhr, are performed, it is sufficient. However, the precaution is to .prefer Salatul-Jumu'ah in the era of the formation of the Islamic government

It is obligatory that Friday Prayer be performed in the manner of a congregation. In the ٣٥ convening of the congregation, it is conditional that the number of individuals of the .(congregation be five at the minimum (the Imam of the Friday Prayer and four followers

The Friday Prayer is not obligatory upon travelers, women, the sick and the disabled. ٣۶ However, when these (categories of people) are present and pray the Friday Prayer with the congregation, their prayers are correct. However, the precaution is that the five .(original worshippers in the Friday Prayer are other than these (categories of people

It is obligatory that there not be a distance less than one Farsakh (۵.۴ Km/٣.۴ Mi.) ٣٧ between two congregations both praying the Friday Prayer. When (the distance was) less than that, the congregation which precedes (the other) in time is proper and the second is .(invalid (meaning second in convening the congregation

Those who live around two Faraasikh (١٠.٨ Km/۶.٨ Mi) from the place of the Friday ٣٨ Prayer, the rule of Friday Prayer includes them. When there is an obligatory Friday Prayer .(in that area), their presence is obligatory in this prayer

The time of the Friday Prayer is from the beginning of Zuhr in the amount (of time ٣٩ necessary

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for) the Azaan, the sermon (Khutbah) and the prayer, according to the customary practice. When this amount of time has lapsed, the time for Friday Prayer terminates and .it becomes obligatory to perform Salatuz-Zuhr

The method of The Friday Prayer. The Friday Prayer is considered as two Raka'ah, like ۴۰ Salatul-Fajr, and two sermons (which are obligatory) to be given before the prayer. It is :obligatory that the two sermons include the following matters

.Praise and glorification of Allah (۱

Prayers upon the Prophet Muhammad and the family of the Prophet Muhammad, may (۲ .the Blessings of Allah be upon him and his family

An exhortation, guidance and advice for fear of Allah (۳

Recitation of a short Surah in each sermon, like Surah Al-Ikhlaas and Surah Al- (۴ .Kaafiroon or Surah Al-'Asr, according to obligatory precaution

Just as it is obligatory upon the leader (Imam) to implore forgiveness for himself and (۵ the believing men and women, in the second sermon he should pray upon the Infallible A'immah, upon them be peace, mentioning their names one by one when praying for .them

According to this, the first sermon includes five parts and the second sermon includes six. It is obligatory that the leader give the two sermons in the state of standing; that he sit a moment between (the two sermons); that his voice reach (as many) worshippers as he is able and that he admonish and give guidance (in the two sermons) in the language and .expressions which people understand

The speaker (in Friday Prayer) should ۴۱

p: ۳۱۸

wear the Turban ('Amaamah) and cloak ('Abaa'ah) and lean on a staff or something similar to that, (and he should) greet the believers before beginning the sermon, (and likewise,) he should explain to people the important political, social and ethical issues related to Muslims and the Islamic world and, in particular, to that region. (He should) advise them of their duties and obligations in face of these issues and warn them of the .strategies of the enemies and their agents

A summary: It is necessary for the speaker (in Friday Prayer) to take the most advantage of whatever is possible in the sermons in reforming souls and familiarizing people with the .important issues which is one of the original purposes of this sermon

The sermon should be in a clear, eloquent and penetrating language in order that the sermon has the maximum affect on the souls of people; (and that) the benefit of this religious, political duty be completed in a perfect manner; (that) divisive issues are .avoided and that the Muslims are called to unity in face of their enemies

The obligatory precaution is that the worshippers, at the time of the two sermons of ۴۲ Friday Prayer, are with purification (Tahaarah); that they sit in front of the Imam and observe silence and listen to the sermons. However, when one of them intentionally talks during the sermon, his prayer is not invalidated, although he has committed an offense .((of deviation from the proper etiquette

When the follower did not hear the ۴۳

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sermon and shared in the prayer, or he only reached (in time) for one Raka'ah, the Friday Prayer is correct. However, the obligatory precaution is that one not be late intentionally.

It is obligatory that the sermon be after the Azaan of Zuhr. When the two sermons were performed before Zuhr, they are to be repeated. ۴۴

(Compiled on the ۲۴th of Rajab ۱۴۱۴)

A Glance at the Life of his Eminence Ayatullah al-'Uzma Makarim Shirazi

His eminence was born in a well known religious family in the city of Shiraz, Iran in the year ۱۳۴۵ A.H. (cir. ۱۹۲۷ A.D.). His father, Al-Hajj Ali Muhammad Makarim, his grandfather, Al-Hajj Abdul-Kareem and his great grandfather, Al-Hajj Baqir were outstanding personalities of the city of Shiraz.

In spite of the fact that there were no individuals of a scholarly theological background in his family, a great inclination and abundant love of Islamic knowledge and sciences directed his eminence, in a delicate manner, toward theological studies and selection of this path.

He began his formal religious studies when he turned fourteen by officially joining the Theological Seminary at Shiraz called the Agha Baba Khan Theological Seminary. Due to his remarkable genius, he accomplished his basic, intermediate and advanced studies in about four years.

In the beginning of his eighteenth year of age, his eminence entered Howzah 'Ilmiyyah of Qom and attended the lectures of great jurists such as Ayatullah Al-'Uzma Burujardi and other remarkable scholars (may Allah be pleased with them all). After several years, he went to Howzah 'Ilmiyyah in Najaf and attended the lectures of its great

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jurists like Ayatullah Al-'Uzma As-Sayyid Muhsin Al-Hakeem, Ayatullah Al-'Uzma As-Sayyid Al-Khu'i, Ayatullah Al-'Uzma As-Sayyid Abdul-Hadi Ash-Shirazi (May Allah sanctify their pure souls) and other renowned teachers. He received the authority of absolute Ijtihaad from two distinguished Grand Ayatullahs from Najaf when he was ٢٣ years of .age

After returning to Iran, his eminence undertook the teaching of advanced level courses (at the Howzah 'Ilmiyyah of Qom) and later he began teaching the highest level of the principles of jurisprudence (Usoolul-Fiqh) and jurisprudence (Darsul-Khaarij). His lectures of jurisprudence are very popular among students and scholars and he has been teaching these courses continuously now for thirty years. He has been able to offer four complete courses in jurisprudence at the level of Darsul-Khaarij and he is currently .conducting his fifth course of Usool and Darsul-Khaarij from the past five years

Along with this, he has taught very important chapters of Fiqh, also at the level of Khaarij, and has produced written and research on these subjects. His lectures of Khaarij in Fiqh and Usool have the highest attendance of students among all Shi'ah Howzaat-e-'Ilmiyyah, where more than two thousand students and distinguished scholars participate .regularly

From his youth (about ٤٧ years ago), his eminence began writing books on different topics like Islamic Doctrines (of belief), matters pertaining to leadership, commentary on the Holy Qur'an, Fiqh and Usool. He is considered one of the great authors of the Muslim .world

More than one hundred books of his eminence have been published, some have been ,repeatedly reprinted

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some up to thirty editions. Many are translated into many of the active international .languages of the world

His comprehensive work, Al-Amthaal Fi Tafseer Kitaabi-llahil-Munzal, an encyclopedia on the commentary of the Holy Qur'an, is one product of his scholarly work (compiled in ٣٧ volumes). His commentary is present in the homes of many people. Indeed, this commentary and his topic-wise commentary (The Message of The Qur'an), has opened a .new chapter in the field of commentary

His books on Islamic doctrine were a great reference for the Howzah and university students at the time when the materialistic deviation and intellectual attacks were fully .engaged in Iran

Among his books on jurisprudence are Anwaarul-Faqaahah, Al-Qawaa'idul-Fiqhiyyah (Legal Principles) and his complete and detailed analysts on the margins of Al-'Urwatul-Wuthqa has been published numerous times. This book, Zubdatul-Ahkaam (A Summary .of Rulings) has been translated into Persian and Urdu

His eminence had an active role in the forefront of the Islamic revolution. During the time of the tyrant's rule (the former Shah of Iran), he was exiled three times to the remote cities of Chahbaar, Mahabad and Anark. Also, he had an important role in writing the .Islamic Constitution in the first council of experts

May Allah make him succeed in attaining His pleasures and may He assist him with His .succor

Kalimatud-Daar

.١st Sha'baan ١۴١۴ A.H

A Glossary of Terms

- .A'alam The Mujtahid considered most knowledgeable

- A'immah Plural of Imam, leaders, as in: A'immah Ma'sumeen (the twelve Infallible .(Leaders

Aadil The just individual• '

Aaqil The sane person• '

Abaa’ah The cloak• '

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.‘like over garment worn by the Holy Prophet and traditionally by 'Ulamaa

• Adaa’ A current duty, like a prayer whose time is current.

' • Adaalah The quality of being just.

• Aghsaal Baths, the plural of Ghusl.

' • Ahd Covenant, agreement.

• Ahkaam Legal rulings, laws. Plural of Hukm.

• Ahlul-Bait The near relatives of the Holy Prophet (S) mentioned in Qur’an (٣٣:٣٣) as the Ahlul-Bait (AS). They are Imam 'Ali, Fatimah Az-Zahraa’, Imam Al-Hassan and Imam Al-Husain, peace be upon them all.

• Ahlul-Kitaab “People of the scripture” a Qur’anic term used for Christians and Jews.

• Ajnabi/Ajnabiyain Unrelated individuals or two unrelated individuals.

• Al-Adillah Al-Arba' The four evidences, namely: ١) the Holy Qur’an; ٢) the Sunnah or custom of the Holy Prophet (S) and his infallible successors (AS); ٣) Ijma' or the consensus of the 'Ulamaa’ and ۴) 'Aql or reasoning.

• Al-Haakim Ash-Shar'i The Religious Authority or judge.

• Al-Hamd Surah Al-Fatihah, the opening chapter of the Holy Qur’an, literally, “the Praise.”

• Al-Mahdi The awaited Imam (AS), the last in the chain of twelve A’immah whose presence is concealed until the last days.

' • Amaamah A turban.

• Amaanaat A trust. Something placed in the care of another.

• Ameerul-

• Mu’mineen An honorary title of Imam 'Ali (AS), “Leader of the Believers

' • Araqul-

- Hayawaanil-Jallaal The sweat of an impurity eating camel.
- Arkaan Pillars (as in pillars of prayer), plural of Rukn.
- Awliyaa' A title given to those who are deemed nearest to Allah. Also Awliyaa' Allah.
- ' Awraat Private parts.
- Ayatullah Al-'Uzma A Grand or senior Ayatullah.
- Aynun-Najaasah An actual

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.source of impurity, like blood

.Azaan The Islamic call to prayer•

.Azra' A measurement equal to about a arm's length•

.Baa'in The irrevocable divorce•

Baaligh A person reaching the age of legal maturity, a minimum of ۱۰ years for girls and• .a maximum of ۱۶ years for boys

Basmallah The recitation of Bismillahir-Rahmanir-Raheem "In the Name of Allah, the• ".Beneficent, the Merciful

.Bi'r A well•

.Buloogh Legal maturity as defined by Islamic law•

.Daa'imah The woman married in a permanent marriage. Also, the permanent marriage•

.Dayn A financial obligation or debt•

.Dharoori Imperative, necessary•

.Dinaar A gold coin used in Muslim countries•

Dirham A silver coin used in Muslim countries•

Diyah Blood money given as compensation for accidental injuries and death and other• .reasons

.Dua' Supplication, prayer•

.Eid Day of celebration, holiday• '

Eidul-Adhha The holiday commemmorating the Prophet Abraham's intended sacrifice• ' .of his son, Ismaa'il on the ۱۰th of Zil-Hijjah

Eidul-Fitr The holiday commemmorating the end of the month long fasting of the month• ' .of Ramadhaan on the ۱st of Shawwal

- ' Eidul-Ghadeer The holiday commemmorating the appointment of Imam 'Ali (AS) as the successor of the Holy Prophet on the ١٨th of Zil-Hijjah.

- Fadheelah The time of increased of reward in prayers.

- Fajr Morning time before sunrise.

- Faqeer A poor person, meaning one who does not have his yearly expenses on hand nor the means to earn it properly.

- Faraa'idh The obligatory acts.

- Farsakh/Faraasikh A unit of measure equal to approximately ٥.۴ Kilometers or ٣.۴ miles.

- Faskh Invalidation of a

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.contract or agreement

- Fatimah Fatimah Az-Zahraa'(AS), the beloved daughter of the Holy Prophet (S) and one .of the ١۴ Infallibles
- .Fiqh Islamic law and jurisprudence
- Fitrah An obligatory charity in the amount of one Saa' of food (٣ Kilograms/۶.۶ Pounds) .given to the needy on 'Eidul-Fitr
- .Fuqqaa' A type of beer made from barley and similar things
- Furoo' A branch, as in a branch of religion, Furoo'ud- Deen, meaning the practical .aspects of faith
- .Ghaa'it Stool
- .Ghair-e-Mu'ayyin Unspecified, left undetermined
- .Ghasbi Usurped, taken or used without ownership or proper permission of the owner
- .Ghayth Rain, rain water
- Ghulaat The extremist who claimed that Imam 'Ali (AS) was God, they are considered to .be non-Muslims
- .Ghusl A bath according to Islamic law
- Ghuslul-Amwaat The bathing of the deceased. Actually comprised of three separate .baths which are obligatory before burial
- .Haa'idh The woman experiencing menstrual bleeding
- .Haidh Menstruation
- .Hajj Pilgrimage to the Holy Ka'abah in Makkah to perform specific rites and ceremonies
- .Halaal Lawful, permissible
- .Haraam Forbidden, unlawful

• Hawaalah Note of exchange, promissory note.

• Hijaab Islamic covering for women.

• Hijri Related to the Islamic calendar.

• Howzah/Howzaat Theological institutions and religious centers.

• Hunoot/Tahneet Applying camphor to a deceased person.

• Husainiyyah A building used to hold religious gatherings such as mourning sessions or Majaalis-e-Azaa'.

• Hussain The famous grandson of the Holy Prophet who was martyred unjustly in Iraq ٥٠ years after the Prophet's death.

• Iddah Voluntary seclusion of a woman for a certain period of time after her husband ' proclaims the divorce or after

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.her husband's death

- Ihraam A state wherein certain acts are prohibited as when performing the pilgrimage and in prayer.

- Ijaab One of the two essential elements of a contract ('Aqd): the consent. The other element is the acceptance or Qabool.

- Ijaarah To rent, hire or lease something or someone.

- Imaamah Leadership or the office of leadership.

- Imamiyyah One of the names of the Shi'ah sect, meaning that it is related to the Imam.

- Infallibles Those who are counted as pure and faultless in Shi'ah theology. They include the Prophet Muhammad (S), his daughter Fatimah, (AS), her husband Imam 'Ali, their two sons, Al-Hasan and Al-Hussain (AS) and the nine descendants of Al- Hussain (AS), the last of which is Imam Al-Mahdi (AS), whose reappearance we anxiously await.

- Inqilaab The purification of wine due to the evaporation of two thirds of it when heated.

- Intiqaal The transfer of an impurity, namely blood, from one person or animal to another person by means of an insect.

- Iqaamah Part of the call to prayer recited to announce the actual beginning of the prayer.

- Irtimaasi Immersion, as Ghusl Irtimaasi, an immersion bath.

- Ishkaal An objection or area of concern.

- Istibraa' The process of removing urine and semen from the urinary tract. Also, to quarantine an impurity eating animal until its system becomes clean again.

- Istihaadhah Irregular bleeding in a woman not associated with menstruation (Haidh) or childbirth (Nifaas).

- Istihaalah Purification due to the physical change of the impure substance into another

.substance

- Ithna 'Ashari

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Twelve. UsuallyShi'ah Ithna 'Ashari, meaning one who follows the Holy Prophet (S) and the twelve Infallible A'immah.

- Iwadhain The two items exchanged in a contract of sale, i.e., the commodity (Muthman) and the payment (Thaman).
- Izaar Outer covering of the burial shroud or Kafan which covers the entire body.
- Jaari Flowing, as in Maa'ul-Jaari or flowing water.
- Jabeerah A bandage, cast, splint and similar things which cover a wound or breakage.
- Jallaal An animal contaminated by eating human feces in particular.
- Janaabah The state of ritual impurity resultant from sexual intercourse or discharge of semen.
- Jimaa' Sexual intercourse.
- Junub The person in the state of Janaabah or ritual impurity.
- Ka'abah The House of Allah, the Holy Sanctuary built by the Prophet Abraham in Makkah. The place which Muslims pray towards daily and where the pilgrimage (Hajj) is performed.
- Kaafir A non-Muslim.
- Kaafoor Camphor.
- Kafan The burial shroud.
- Kaffaarah An atonement, usually for the lapse of one's duties or inability to perform a certain obligation.
- Kalb Dog.
- Kampayaalah Promissory Note.
- Kanz Treasure.

- Khala' The type of divorce in which the woman returns her dowry or gives the husband some other property in exchange for his granting her divorce.
- Khamr Wine.
- Khawaarij An early deviant sect which rebeled against Imam 'Ali (AS) during his rule. They are ruled as non- Muslims.
- Khinzeer Pig.
- Khiyaar A right of invalidation in a contract or agreement.
- Khol Antimony, used for strengthening the eyes.
- Khums An obligatory tax on excess wealth.
- Khutbah A sermon.
- Kufah A city

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(in 'Iraq, once the seat of government during the rein of Imam 'Ali (AS

- Kurr A measurement of volume equal to approximated ١٠٢ US Gallons.
- Luqtah A lost property.
- Ma'soomeen The Inafflibles (ref.: Infallibles)
- Ma'zoor Excused, as one who is excused from fasting, for example.
- Ma'tam A ritual of mourning.
- Mab'ath The time when the Prophet (S) publicly announced his mission as a Prophet to the people of Makkah at the age of ٤٠.
- Mabtoon A person afflicted with a gastronomic illness that prevents him from hold back his stool properly.
- Maghrib The time of sunset.
- Mahr A dowry.
- Mahr Mithl A standard dowry.
- Mahram A related person. One who it is not permissible to marry due to blood relation or family affinity.
- Maitah An animal which has died on its own without proper slaughtering.
- Makkah The birth place of the Prophet of Islam (S) and location of the Ka'abah, the direction toward which Muslims pray.
- Makrooh A disliked action according to Islamic law but not unlawful.
- Maniy Semen.
- Mann (Tabreezi) A unit of weight used in Iran equivalent to ٢.٩٤ Kg/٦.٤٨ Lbs.
- Masjid A Mosque.

- .Masloob Crucified
- Masloos A person afflicted with a urinary disorder which leaves a person unable to .control their urine
- .Massil-Mayyit Touching a dead body
- .Matar Rain or rain water
- .Mayyit A dead body or deceased person
- .Mi'zar A loin cloth. One of the three parts of the burial shroud or Kafan
- Mihraab A niche in the wall of a Mosque in which the Imam

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.usually stands facing toward the Qiblah

- .Miskeen A destitute and needy person
- .Miswak A toothbrush made from a twig that is chewed until soft and pliable
- .Mithqaal (Ma'mooli) A common Mithqaal, approximately ۴.۶۸ grams
- .Mu’ajjir The lessor or property owner in a lease/rental agreement or Ijaarah
- Mu'aamalah A transaction, meaning a transaction of property like a sale, rental, loan, .etc
- Mubaah Something which is lawful due to the fact that it does not have a formal ruling in .Islamic law
- .Mubaara’ah An irrevocable divorce in which both husband and wife desire a divorce
- .Mubtadi’ah The female who is experiencing menstrual bleeding for the first time
- .Mudd A measurement equivalent to approximately ١.٧ Lbs or ٣۵٠ Kgs
- .Mudhaaf Mixed water
- Mudhaarabah A silent partnership where one person gives a sum of money to another to transact an agreement in exchange for an agreed upon portion of the proceeds of the .transaction
- .Mudhtaribah A woman who has an irregular or disturbed habit of menstrual bleeding
- .Muhtadhir A person in the grasp of death
- Mujtahid An Islamic jurist capable of independent derivation of legal rulings from the .Islamic sources of law
- /Mukallaf
- .Mukallafeen One deemed as responsible and accountable under Islamic law
- .Muqridh Lender

- .Murtahin The one accepting a security or Rahn, like a pawnbroker
- .Muskir A liquid intoxicant, like wine, beer, whiskey, etc
- .Mustahaadhah A woman having irregular bleeding or Istihaadhah
- /Mustahabb
- .Mustahabbaat Recommended acts
- .Mustahiqq One eligible and worthy of charities like Sadaqah, Zakah and Khums
- .Mustaqridh Borrower
- .Musta'jir Lessee, renter
-

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.Mutahhir/Mutahhiraat Something capable of purifying an impure substance, like water

- .Mut'ah Temporary or fixed term marriage
- Mutanajjis Something which is contaminated by an impurity although not possessing .the source of the impurity itself
- .Muthman The commodity in a sales agreement
- Mutlaq Water Pure Water
- Muwaalaah Continuity, meaning that actions must be performed with continuity and .continuation
- .Naafilah/Nawaafil A voluntary prayer
- .Naasiyah The woman who has forgotten her established custom in menstruation
- .Nabiy A Prophet
- .Nafsaa The woman having bleeding due to childbirth
- .Nairooz The Persian new year
- .Nahr The method of slaughtering a camel
- .Najaasah/Najasaat An impure substance according to Islamic law, like blood and urine
- .Najis Something containing Najaasah or an impurity
- .Nasee'ah A credit transaction
- Nasibi Those who bore open emnity to the Ahlul-Bait (AS) in general and Imam 'Ali (AS) .in particular
- .Nazar Viewing, looking, for example, a man looking at a woman
- .Nazr A vow
- .Nifaas Bleeding which a woman experiences after childbirth

- .Nikaah Marriage
- Nisaab A established minimum quantity used for calculating Zakah and Khums .payments
- .Niyyah Intention in matters of worship
- .Qabdh To take possession of something
- Qabool One the essential elements of a contract or agreement. It is the acceptance of .an offer or consent to transact. The consent is called Ijaab
- Qadhaa' The performance of a duty which has lapsed unperformed, like a prayer which .was not performed in its proper time
- .Qadhiy A judge in an Islamic court
- Qaleel Water A small quantity of water that is less than a Kurr

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.or ١٠٢ US Gallons

- .Qamees Literally, a shirt. One of the three pieces making up the death shroud or Kafan
- .Qardh A loan
- .Qardhul-Hassanah An interest free loan
- .Qasam An oath
- .Qiblah The direction of the Holy Ka'abah, the direction to which Muslims pray
- .Qiraa'ah Recitation of the Holy Qur'an
- .Qiyaam The standing position in prayer
- .Qunoot The supplication made in prayer in the ٢nd Raka'ah
- Quraish The tribal group of the Holy Prophet
- Qurbah The intention to perform a duty only for the sake of Allah, to gain nearness to Him and fulfill one's duty.
- .Raahin The one who gives property as a security
- .Rahn Property given as a security
- .Raj'I The revocable divorce
- .Ra'sul-Maal The principle, meaning the sum which is invested
- .Raka'ah One cycle in prayer
- Ramadhaan One of the holy months on the Islamic calendar in which Muslims fast during the day time hours.
- Rasheed A attribute given to the person who is reasonable in that he knows what is in his advantage and disadvantage.
- .Ribaa Interest

- .Rujhaan An inclination toward one direction or another
- Rujoo' The right of the husband, in a revocable divorce, to return to his wife and cancel the divorce process.
- .Rukn A pillar of prayer
- .Rukoo' The bowing position in prayer
- .Sabirtu Spirit, commercial alcohol
- Sayyid/Sadaat A descendant of the Bani Haashim (the Prophet's family branch of the Quraish tribe). Also, the descendants of the Infallibles.
- Safeeh An incompetent person in Islamic law. One who is incapable of managing his affairs,

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particularly financial affairs. Islamic law generally regards the transactions which the .Safeeh engages in to be invalid

Sahm A share, as in the two shares of Khums, Sahm Al- Imam and Sahm As-Sadaat (the share of the Imam and the share of the descendants of the Prophet).•

Sajdah Sahw Two prostrations that are performed to rectify some inadvertent mistakes committed during the prayer, like forgetting one prostration.•

.Sakk A note or check•

.Salaf An advance payment transaction•

Salatul-Wahshah A special voluntary prayer for a deceased which is performed on the night of his burial between Maghrib and 'Ishaa'.•

Salatul-Ayaat The Sign Prayer, an obligatory prayer performed upon the occurrence of eclipses, earthquakes and other extraordinary natural occurrences.•

.Salatul-'Asr Mid-afternoon prayer•

.(Salatul-'Eid Prayers of the two high celebrations of 'Eid (Ref: 'Eid•

.Salatul-Fajr The morning prayer, also called Salatus-Subh•

Salatul-Ihtiyaat The prayer of precaution, performed when one has doubt in the number of Raka'ah performed.•

.Salatul-'Ishaa' The evening prayer said after sunset when the sky darkens•

.Salatul-Istisqaa' The prayer for rain•

.Salatul-Jamaa'ah Congregational prayer•

.Salatul-Jumu'ah Friday Prayer•

Salatul-Lail The late night prayer, usually performed after sleeping and before the morning prayer.•

- Salatul-Maghrib The sunset prayer.
- Salatul-Mayyit The prayer for the deceased. Also called Salatul- Amwaat.
- Salatul-Musaafir The prayer of the traveler, meaning a prayer shortened from four Raka'ah to two Raka'ah due to traveling.
- Salatush-Shaf' Two Raka'ah prayer which is part of the eleven Raka'ah of the late night prayer (Salatul-Lail).
- Salatuz-Zuhr The noon time prayer.
- Salawaat To send salutations and

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.prayers upon the Prophet Muhammad (S) and his family. Also, the plural of Salah

• Sarqufali Key money. An arrangement in a lease/rental agreement where an individual reserves the priority in rental of a property in exchange for a sum of money.

• Sayyid/Sayyidah Male/female descendant of one of the twelve A'immah.

• Seeghah A verb formula used in executing contracts and agreements, like sales contracts, marriage, etc.

• Shaakhis A stick used to determine the time of Zuhr and 'Asr prayer by measuring the shadow that it casts.

• Shahaadatain The recitation of the two fundamental beliefs of a Muslim: I bear witness that there is no God except Allah and I bear witness that Muhammad (S) is His Messenger!

• Shaheed A Martyr.

• Shakk Doubt.

• Sidr The leaf of the Lotus tree which is used in one of three baths given to a deceased Muslim.

• Suhoor An early morning meal before beginning the fast at Fajr time.

• Sujood Prostration.

• Surah A chapter of the Holy Qur'an.

• Ta'qeebaat The actions which follow the prayer.

• Taahir Pure according to the Islamic law.

• Tab'iyyah Subordination. The idea that one thing will become pure when another thing becomes pure, for example, one's hands will become pure when the impure cloth which one is washing becomes pure.

• Tahaarah Purification. Cleanliness and purification according to Islamic law, including Wudhu' and Ghusl.

- .(Tahajjud Another name for the late night prayer (Salatul- Lail
- .Tajweed The science of proper recitation of the Holy Qur'an
- Takbeer/Takbeeraat Saying: Allahu Akbar "Allah is the Greatest." Repeated

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.frequently in the prayer

- .Takfeen The process of wrapping the Islamic death shroud or Kafan
- .Takfeer Folding the hands in prayer
- .Tallaaq Divorce
- .Taqiyyah Hiding of one's faith to avoid danger or persecution
- .Taqleed Following a Mujtahid in matters pertaining to the practical laws of Islam
- .Tarteeb Sequence, proper order
- Tasbeeh Glorification, praise
- Tasbeehaat Al-Arba' The Zikr recited in the third and fourth Raka'ah of prayer in place .of Surah Al-Hamd
- .Tashahhud The recitation of the Shahaadatain in the prayer
- .Taubah Repentance
- Tawaaf To circle, make a circle around something. To circle around the Holy Ka'abah as .one of the rites of the pilgrimage
- .Tawheed The Unity of Allah, the concept that Allah is One without an partners or peers
- Tayammum Dry purification used as a substitute of Wudhu' and Ghusl for specific .reasons
- Tayyibul-Walaadah Legitimate birth, meaning that the parents of a child were married .at the time of the conception of a child
- .Thaman The payment in a sales transaction
- .Turbah Soil, dirt
- ' .Ulamaa' Scholars, plural of 'Aalim

- .Ummah The Muslims worldwide, the Muslim nation
- ' .Umrah The Lesser pilgrimage, a shortened pilgrimage
- .Usool Fundamental principles as in the Usoolud-Deen, the Fundamentals of Faith
- .Waajib-e-'Ayni An individual obligation like praying and fasting
- Waajib-e-Kifaayah A type of obligation which is incumbent upon Muslims as a whole, not individually. Like the burial of a fellow Muslim. Whoever buries the Muslim removes the obligation from the remainder of the community. However, if no one comes forward ,to take care of the obligation

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.the Muslims will have committed a sin

Waajib-e-Takhyeeri An obligation which has an option to follow it or another obligation. • For example, one can pray Friday Prayer or Salatuz-Zuhr, one has the choice between .two obligations

.Waaqif A person donating property as an Islamic Trust•

.Wakeel A representative•

.Waliy Legal guardian, like a father, grandfather•

Waliyul-Amr The Guardian of the affairs of Muslims. The position of the top Religious• .Authority

.Waqf An Islamic Trust•

.Wasiyah A will•

Waswaas Literally, the whispering of satan. Also, excessive doubts which occur to• .people

.(Witr The one Raka'ah prayer that is part of the late night prayer (Salatul-Lail•

Wudhu' A ritual of purification necessary before prayer and other acts of worship which• require purification. Involves washing the face, arms from the elbows to the fingers, .wiping the head and feet. Also called ablution

Yaa'isah The woman who has reached the age of fifty which Islamic law regards as• .menopausal or unable to bear children. The age is sixty for women of the Quraish tribe

.Yameen An oath•

-Zaatul-'Aadatil•

Adadiyyah A woman possessing a regular custom in the number of days with regard to• ' .her menstrual cycle

-Zaatul-'Aadatil•

- Waqtiyyah A woman possessing a regular custom relating to the start of her menstrual cycle.
- Zakah An obligatory and, sometimes recommended, charity given on animals, agriculture and gold and silver.
- Zakatul-Fitr An obligatory charity given to the poor after the month of fasting (Ramadhaan).
- Zann Assumption, less than certain knowledge.
- Zawaal The time when the sun passes

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.its zenith and begins to decline. Marks the beginning of the noon prayer or Salatuz-Zuhr

- Zhimmi One of the people of the scriptures or Ahlul-Kitaab that resides in a Muslim .country and, therefore, protected by Islamic law

- .Zikr The recitation of glorification and praise of Allah, the Exalted

- Ziyaarah/Ziyaaraat Literally, to visit. Used primarily in the meaning of the visitation of .the graves of the Infallibles, may peace be upon them

- .(Zuhr Noon time or the noon-time prayer (Salatuz- Zuhr

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About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ۹

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ۲۰۰۷, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities in .religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes .of people interested in reading, with various formats in the cyberspace

:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

encouraging the populace particularly the youth in investigating the religious issues-

replacing useful contents with useless ones in the cellphones, tablets and computers-

providing services for seminary and university researchers-

spreading culture study in the publich-

paving the way for the publications and authors to digitize their works-

:Policies

acting according to the legal licenses-

relationship with similar centers-

avoiding parallel working-

merely presenting scientific contents-

mentioning the sources-

.It's obvious that all the responsibilities are due to the author

:Other activities of the institute

Publication of books, booklets and other editions-

Holding book reading competitions-

Producing virtual, three dimensional exhibitions, panoramas of religious and tourism- places

.Producing animations, computer games and etc-

Launching the website with this address: www.ghaemiyeh.com-

Fabricatingdramatic and speech works-

Launching the system of answering religious, ethical and doctrinal questions-

Designing systems of accounting, media and mobile, automatic and handy systems, web- kiosks

Holding virtual educational courses for the public-

Holding virtual teacher-training courses-

Producing thousands of research software in three languages (Persian, Arabic and- English) which can be performed in computers, tablets and cellphones and available and downloadable with eight international formats: JAVA, ANDROID, EPUB, CHM, PDF, HTML, CHM, GHB on the website

Also producing four markets named "Ghaemiyeh Book Market" with Android, IOS,- WINDOWS PHONE and WINDOWS editions

:Appreciation

We would appreciate the centers, institutes, publications, authors and all honorable .friends who contributed their help and data to us to reach the holy goal we follow

:Address of the central office

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Commerce and sale: ۰۹۱۳۲۰۰۰۱۰۹

Users' affairs: ۰۹۱۳۲۰۰۰۱۰۹

Introduction of the Center – Ghaemiyeh Digital Library


Center of Computer
Researches
Ghaemiyeh
Isfahan
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